



## **COMMISSION MEETING MINUTES**

**Special Meeting  
February 24, 2023  
10:00 a.m.**

Commissioners present in person: Jackie Aaron, Kevin Corbett, Melinda Fruendt, Jonathan Hall, Ginarie Harrington, Jason Hicks, Rachel Holt, Lindsay Laird, Keith Reed, and Deborah Shropshire.

Commissioners present virtually: Brenda Myers and Brad Wilson

Guests present: Sherry Fair, Betty Hawkins-Emery, Gabrielle Jacobi, Sara Jacoby and Family, Dr. Kathryn LaFortune, Jill Mencke, Emma Morris, Constanzia Nizza, Megan Patton, Audrey Rockwell, and Sheamekah Williams

Staff present: Annette Wisk Jacobi, Mark James, Robert Agnew, Kathleen Arrieta, Danielle Dill, Elizabeth Kaup, Harold Jergenson, Marcia Johnson, Lizz Kaup, Ellen Lohrenz, Joseph McGrath, Keith Pirtle, Makala Pittman, Lisa Rhoades, Isabel Rodriguez, Cherra Taylor, and Mahboob ul Haq

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### **Welcome, Introductions, and Determination of Quorum**

– *Chairperson John Schneider*

*Chairperson Schneider* called the meeting to order at 10:00 a.m.

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### **Public Comments**

No public comments were given.

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### **Review of the Amended Minutes from the September 26, 2022 Regular Commission Meeting**

– *Chairperson Schneider*

**A handout was provided.**

*Director Holt moved to approve the minutes as written. Commissioner Aaron seconded the motion. The majority of members present voted in the affirmative. Commissioner Laird, Commissioner Myers, Commissioner Reed, and Director Shropshire abstained from the vote. The motion passed.*

**Review of the Minutes from the December 1, 2022 Regular Commission Meeting**

– Chairperson Schneider

**A handout was provided.**

District Attorney Hicks moved to approve the minutes as written. Commissioner Laird seconded the motion. The majority of members present voted in the affirmative. Commissioner Reed, Director Shropshire, Commissioner Slatton-Hodges abstained from the vote. The motion passed.

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**Presentation and Approval of the Finance Report**

– Megan Patton, OMES Financial Manager

Ms. Patton provided an overview of the financial report through February 22, 2023.

**A handout was provided.**

Director Holt moved to approve the Finance Report. Director Fruendt seconded the motion. All members present voted in the affirmative. The motion passed.

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**Formal Adoption of OCCY Rule Changes by OCCY Commissioners Following Public Comment Period**

– Marcia Johnson

The Commissioners voted to support the OCCY Rule Changes in the December 1, 2022 OCCY Commission meeting. This vote is the formal adoption of those changes following the public comment period. The public hearing was scheduled for February 9, 2023, and there were no changes from that hearing. There have been no further changes since the December 1, 2022 meeting.

Commissioner Laird moved to approve the OCCY Rule Changes. Director Holt seconded the motion. All members voted in the affirmative. The motion passed.

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**HB 1028 Prohibiting the Use of Corporal Punishment on Students with Disabilities (Rep. John Talley)**

– Sherry Fair, Executive Director, Parent Promise

This bill prohibits corporal punishment on students with disabilities entitled to special education services in accordance with the Individuals with Disabilities Education Act (IDEA). The current special education policies and procedures state “as applied to students with disabilities entitled to special education services under the Individuals with Disabilities

Education Act, the use of corporal punishment by employees or agents of the Oklahoma Public school is prohibited beginning in school year 2020 – 2021. However, The State Education Department did a survey of the schools for the school year 2021 – 2022, and there were 63 Oklahoma School Districts which administered corporal punishments to students with disabilities, and there were 455 incidents of students with disabilities receiving corporal punishment.

This law would state that corporal punishment can not be administered on any student with an individualized education program (IEP). The reason for this bill is that there is currently a statutory waiver available for parents who want to let their child receive corporal punishment, even if they have an IEP.

Ms. Fair asked OCCY to add this bill to their legislative agenda and allow the OCCY logo to be included on a handout along with other supporters of the bill.

It was questioned whether supporting this bill means lobbying, and a concern that the language in the bill might eventually change during the legislative process to something OCCY might not support. It was noted that no other state agencies had lent their logo to show support.

**A handout was provided.**

*Chairperson Schneider asked for a motion. There was no motion forthcoming.*

Director Jacobi noted that this is not a judgment on the bill, but that there are many agencies that make up the Commission and it may better for the Coalition to approach them individually.

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**Proposed Bill to Financially Support Foster Youth Who Are Aging Out**

– *Emma Morris, Health Care and Revenue Policy Analyst, and  
Jill Mencke Youth Justice Policy Analyst; Oklahoma Policy Institute*

The Oklahoma State child welfare system strives to protect children from maltreatment, support families in crisis, and ultimately ensure that children have safe, permanent homes with their families, relatives, adoptive parents, or legal guardians. However, there are still approximately 200 youth that age out of foster care every year in Oklahoma, which means they are not reunited with family members or any community support. Former foster youth are at a higher risk for experiencing homelessness, mental and physical health issues, employment difficulties and low wages, early parenthood, and interactions with the criminal justice system.

HB 1929 proposes to support these foster youth with an annual \$500 stipend, which can be used for deposits for apartments, rent, clothing, education, other needs, and emergencies. The stipend would not be given directly to the youth but would be sent directly to the landlord,

school, or vendor. The cost would be \$800,000 plus administrative costs. The stipend would be distributed through Oklahoma Successful Adult Program (OKSA) and tied to a specific need such as education career training, or housing.

There was a brief discussion which included the current programs and services at the Oklahoma Department of Human Services (DHS) for youth aging out of foster care, the priority of getting youth into a permanent family, outcomes from this program, and similar programs in other states.

**A handout was provided.**

*Commissioner Laird made a motion to support additional services for youth aging out of foster care through the OKSA process. Commissioner Corbett proposed an amended motion that OCCY supports the concept of increasing the funding to this age group, ages 18-25, that would help them with life skills. Commissioner Aaron seconded the motion, and the majority voted in the affirmative. The motion passed.*

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**Presentation: Juvenile Competency Restoration Outpatient Program**

*– Kathy LaFortune, J.D., Ph.D., Licensed Attorney and Psychologist*

In 2015, a work group involving OCCY and other stakeholders participated in writing the statutes to establish juvenile competency in Oklahoma. Title 10A O.S. 2-2-401.1 states that grounds for a finding of incompetence can include developmental disability, developmental immaturity, intellectual disability, or mental illness. As included in these statutes, developmental immaturity may be addressed because it further impedes how juveniles think and act. The restoration process would include issues frequently addressed in juvenile remediation sessions such as understanding of the court process, allegations, plea options, problem-solving skills, and sentencing options.

This proposal for the pilot Outpatient Juvenile Competency Remediation Services (JCRC) in Oklahoma and Tulsa Counties is based on the Attainment Curriculum for Trial Competence (ACTC), initially developed at Utah State University. Outcome data shows that the use of the ACTC decreased the number of days needs for restoration and increased the percentage of juveniles restored from 56% to 95%. The presentation also outlined prospective hiring and costs.

There was a discussion around the small number of juveniles needing competency restoration, possible program locations, and funding. There were concerns that OCCY would become financially responsible for these services. The Department of Mental Health handles adult competency, so input from Commissioner Slatton-Hodge, who was absent, would be important.

Dr. LaFortune asked if OCCY could develop strategies for creating an outpatient restoration program in Oklahoma which complies with the statues under Title 10A.

**A handout was provided.**

After the presentation, Commission members recommended the agency convene an informal workgroup to explore strategies for implementing juvenile restoration services in Oklahoma.

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**Director’s Report: A Report Regarding Agency Activities and Personnel Changes**

– *Director Jacobi*

Director Jacobi welcomed Mahboob ul Haq to OCCY as the Business Manager. He will be presenting the financial reports alongside Megan Patton of OMES.

A workgroup has begun related to pediatric marijuana exposures. The Oklahoma Poison Center has seen a large increase in children ingesting medical marijuana and needing medical treatment. The first meeting was held on February 13<sup>th</sup> and included DHS, OCCY and others.

Oklahoma Governor J. Kevin Stitt proclaimed February as National Parent Leadership Month in Oklahoma. Director Jacobi asked the Commissioners to stay after the meeting for a photo with the proclamation and Parent Partnership Board members Betty Hawkins-Emery, Sara Jacoby and family, and OCCY staff.

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**Chairperson Comments**

– *Chairperson John Schneider*

Chairperson Schneider thanked everyone for attending.

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**Adjournment**

– *Chairperson John Schneider*

Director Fruendt moved to adjourn the meeting. Director Shropshire seconded the motion. The meeting adjourned at 11:40 a.m.