



State of Oklahoma

## OFFICE OF JUVENILE AFFAIRS

Board of Juvenile Affairs and Board of Oklahoma Youth Academy Charter School

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### Meeting Minutes December 18, 2019

#### Board Members Present

Sean Burrage  
Tony Caldwell  
Amy Emerson  
Janet Foss  
Stephen Grissom  
Mautra Jones  
Timothy Tardibono  
Karen Youngblood (arrived at 9:08 a.m.)

#### Absent

Jenna Worthen

#### Guests

Twyla Snider, Linda Shaw, Ada Fox, TJ Bailey, Brenda Myers, Darla Slipke, Lisa Williams, Sidney Lee, Mitch McGrew, Darla Slipke, Tyler Talley, Sidney Ellington, LaTanya Freeman, Derrick Sier, Angelika Arnold

#### Present from the Office of Juvenile Affairs

Janelle Bretten, Steven Buck, Paula Christiansen, Kevin Clagg, Donna Glandon, Rachel Holt, Michael McNutt, Carol Miller, Len Morris, Audrey Rockwell, Paul Shawler, Matt Stangl, Shelley Waller, and Melissa White

#### Call to Order

Chair Caldwell called the December 18, 2019, meeting of the Board of Juvenile Affairs and Board of Oklahoma Youth Academy Charter School to order at 9:00 a.m. and requested roll be called.

#### Public Comment

No public comments.

Ms. Snider was asked if she wanted to speak at this time or before the State Plan was discussed.

#### Director's Report

Director Buck ran through his report. Recognized guest Sidney Ellington an appointee of President Pro Tempore Treat who will become a member of the Board of Juvenile Affairs in January 2020.

Chair Caldwell: I have a question. The trend lines are showing favorable for us in terms of the gross number of children we need to be focused. It is also true that the acuity of the children entering our care is going up. I would like to see that reflected on the graphs or I hope it was brought up in the budget hearings. Otherwise, it doesn't reflect a need for potential budget increases.

Director Buck: I absolutely covered this multiple times. The acuity of kid is higher. Len is working on a comprehensive data match with OHCA. That will not only go through our time but their time with care before us. We need to become more data informed so we can speak in the concrete rather than anecdotal.

Dr. Grissom: We have an increase from 60% to 80% of our kids with prior DHS involvement. There is no way that is not connected to higher ACEs scores amongst our population. With higher ACEs scores we know there is greater likelihood of the need for behavioral and mental health services. This speaks to the severity of problems within the reduced number of kids we are getting. Higher ACEs scores higher likelihood of need for behavioral and mental health services and that is a more difficult population for us to deal with.

Chair Caldwell: I think this is a very important point in the discussions. There can be a certain set of fallacies created with data. For example, we recently released hundreds of inmates from DOC. The assumption was that because of the current charge for those inmates, they did not represent a threat society because of a change in laws. They did not look at criminal histories which is normally done through pardon and parole or supervision. There will be a great temptation to cut or not increase our budget due to a lack of understanding regarding acuity. Specifically, with a potential budget difficulties on the horizon.

Director Buck: I want everyone to understand that because of the current trends we have been able to be really creative in our service arrays. We are setting ourselves on a pathway that will be affected by the budget.

Mr. Tardibono: On the DHS number, how is that determined?

Director Buck: That is completed through a data match.

#### Presentation on the State Plan for the Establishment of Secure Detention Services

Ms. Rachel Holt ran through the attached presentation.

Dr. Grissom: The asterisk on Tulsa County shows it should go to 60 beds but that is not reflected in the numbers. We are going to potentially contract to 55 but we do not know yet.

Ms. Holt: This is based on the newly constructed facility. They chose to build a 63 bed facility. The facility is not currently licensed. We have been told there is a potential plan, by Tulsa County, to move their youthful offenders from David L. Moss to the new facility.

Dr. Grissom: The bed allocation number could change based on additional information.

Ms. Holt: Correct.

Judge Foss: I am not understanding we have all these licensed and certified bed and OJA decides how many beds to use. Why are they deciding to build these centers?

Ms. Holt: We had a similar situation with Creek County when they built their center. They were told we would not contract or become part of the State Plan for Detention.

Dr. Grissom: So they pay for their own centers.

Ms. Holt: Correct.

Ms. Holt continued through her presentation.

Judge Foss: With regards to recommendation number 1, how often are children under the age of 14 detained?

Ms. Holt: Those statistics are in the actual State Plan.

Chair Caldwell: Page 17.

Chair Caldwell: Fiscal year 2019 a total of 282, it appears. Average age is consistent at the age of 16.

Judge Foss: You speak to using all other options before detainment? What are those options and who are responsible for creating those?

Ms. Holt: OJA. A JSU worker should work with all avenues to place those children.

Director Buck: I think this is important as one of those forward looking conversations. We have the opportunity to effect local decision making. This is one of those items that as we move through implementation we should start providing resources.

Chair Caldwell: Further, some of the plan will require legislative changes. We will be making recommendations to the Legislature and that will begin a discussion about fiscal impact and funding.

Chair Caldwell: With regards to recommendation number 2, I have been told the Speaker has asked members to start attending governing board meetings but I am not sure that has happened today. If the legislature fails to act on this issue we may have to settle the issue through a lawsuit. We have different parts of government having a difference of opinion that could be clarified by legislative action.

Director Buck: This is one of the reasons I wanted to show the graphs during my report. There was a time when we would have had 40 or 50 kids awaiting OJA placement in detention. That is currently not the case, should the trend lines turn the fiscal impact will change. This will continue to provide the agency incentive to work towards alternatives to detention and keeping enough out of home beds as needed.

Judge Foss: What do you attribute those changes and downward trends to? Is this justice reform coming into effect in the juvenile justice system?

Director Buck: I think this possible. As soon as I can get one of my friends in academia to bite. I am going to ask them to look into it. Kids do not aggregate the way they used to. They are now aggregating through virtual reality. I really appreciate Tulsa and Oklahoma City public school working to bring those with chronic absenteeism back into the classroom.

Judge Foss: What on recommendation 2, did you discuss recouping costs?

Ms. Holt: I did not. We do have kids that are held against our recommendation by judges who don't agree with the placement choice.

Judge Foss: This is an ongoing issue. The last case law, I read, stated placement is under the full discretion of OJA.

Ms. Holt: That is correct.

Mr. Tardibono. How is that going to work? Are you just going to send an invoice to the county?

Ms. Holt: It depends. If that detention center is acting as a subcontractor we would not want to punish them. We would need to hold the detaining county responsible.

Judge Foss: I am not sure how you are going to do that.

Ms. Holt: Kevin Clagg is going to handle.

Judge Foss: With the judge making the decision and the county is a separate branch of government from the county.

Mr. Clagg: That is an issue we have been grappling with this issue for years.

Judge Foss: I guess we can just put it out there and see what happens.

Mr. Tardibono: Can you send a debt collector after a county?

Dr. Grissom: Would this be one of those scenarios where the judicial oversight committee can be brought in to assist.

Director Buck: Yes, they have been very helpful to us the in past.

Chair Caldwell: There is also, in terms of enforcing, the matter of licensing. If we have an issue in a particular facility/ jurisdiction we have licensing as a tool to use. The point being, we have been consistent in being collegial in this matter. Nothing is this plan is meant to be heavy handed but rather a statement of intent. We are going to be vigorous in following the law but that shouldn't be seen as a lack of respect.

Judge Foss: If the system was working as it should and these children are being represented by attorney, it is incumbent on those attorney to do something. If they fail to act they should be held incompetent. If the judge isn't complying with the law the remedy is a writ. This points to a different problem and it is frustrating.

Ms. Holt: Continuity of services requires all counties to come under contract which will be discussed among the attorneys with regards to legislative action. Currently, Oklahoma County is not under contract and the fiscal year began July 1<sup>st</sup>.

Contracts are important because it creates additional protections for the youth in care. There is administrative rule and licensing standards but there are specific protections and requirements created through a contract. Correct, Rachel.

Ms. Holt: Correct.

Vice Chair Youngblood: Question, one of the recommendations during review we discussed adding under continuity of services, there was full agreement, we add that all eligible vendors must be under contract. However, perhaps that was going into the contract itself. So, I have no point to make sure that it is covered someplace, as this was a universal point.

Judge Foss: With regards to recommendation 5, how/ who is making the determination of unlawful?

Ms. Holt: It states, as determined by OJA.

Judge Foss: That is a problem because you are making legal conclusions. If it is a blatant conclusion like we discussed last week that is not a problem. However, I don't think it is going to be that clean cut most of the time.

Ms. Holt: This is a Rates and Standards recommendation.

Chair Caldwell: It is not a simple matter. However, we are aware of this issue. We are attempting to create a solution in the plan. We have a checklist or a process that we go through to make the determination. It is our legal staff/ placement staff to have a conversation with the judge to address the situation often that does not work. OJA is charged statutorily with caring for the youth in our custody. We cannot assign those duties to anyone else. This is intended, not to be punitive, but to assist with creating a solution.

Judge Foss: I feel like this is tied together. You cannot discuss detention issues without looking at alternatives. I can see, where there will be situations, where judges will be in a bind because there will not be alternatives and their only solution will be to keep the child detained.

Chair Caldwell: I think that is a fair point. It is why the recommendation states may not shall.

Judge Foss: That is good.

Chair Caldwell: I think there is a certain sense here if you look back over the year, we look at the children who were in the care of youth services. We asked them to make changes and tied rates to that. I think what we tried to do with youth services agencies is instructive in this case. We are trying to make changes for the better for the children in our care. We all have the same end point. We are interested in trying new things. If they don't work we will come back together to fix any problems. I think the same case can be made here. However, we have to have a starting point. I believe this plan puts us in a situation to do that. This is our intent and it may not be perfect. If it turns out that it isn't perfect, we will come back and work together to fix to problem. We don't have all the answers and we will continue to work with our providers to correct any problems. I believe that attitude is created by the Board and continued by future boards.

Dr. Emerson: In my opinion, the spirit of this conversation is to lead this to a more local/ community level conversation. I think this must occur to change the trajectory for the state. I believe that the judge and attorneys are all in the same community grappling with these issues. However, someone must forge for a solution.

Vice Chair Youngblood: As we reviewed these in rates and standards there was an issue in each one we could apply it to. There was a true document for each one, if we applied this, would it move it forward for the child. Each time there was a solution. I agree with Tony, this may not be a perfect solution but it is an important starting point.

Dr. Grissom: It is also important, for every party, and in each scenarios there are different parties involved. It is important to realize that no matter which situation we are discussing a child that has to be somewhere. I see this as a way to put pressure systematically in any party involved to create the best solution for this kid.

Vice Chair Youngblood: This may empower the judges to speak out about not having the proper alternatives. We must have the right alternative/ placement for the children. I hope it creates the right amount pressure and helps the kids.

Judge Foss: When you get your first complaint let me know.

Ms. Holt: We are hoping to have a detention screener in place that will help JSU staff have the right conversations. We are also looking at increasing the purchase of ankle monitors. This will hopefully, give us a hammer but attempt to work towards a solution.

Judge Foss: And help with being reasonable.

Ms. Holt: Recommendation 5 speaks to training requirements.

Dr. Grissom: This one contains a *shall*.

Ms. Holt continues speaking about recommendation 5.

Chair Caldwell: In my opinion, this might be the most important recommendation. This is of course, up to the legislature to implement. In my conversations with judges, they have asked for help. We have a really complicated system. I worked really hard for a year before I completely understood the system. We have to get on the same page. I hope the legislature, if they ignore everything else, will act on this.

Mr. Tardibono: On the DAs is that going to be the juvenile DAs or the elected official. Who will determine that?

Ms. Holt: I would like to see both. The DAC currently has a grant and we are working on a curriculum.

Mr. Tardibono: You all haven't written that statutory language.

Ms. Holt: I don't know that it would require statutory authority. I think if we as an agency create a platform for the training and push it out it is my belief it will be used. Juvenile attorneys are required to complete 6 hours of training but DAs and legislators are exempted from that training.

Chair Caldwell: It would be wise of us to prepare language in each area to be part of our next legislative proposal. So things are not left to chance.

Director Buck: Rachel used some nomenclature, the Zoom platform, which is multi-viewer/ listener training systems. Kevin and the training team are currently working on this. Once this is perfected we can push out to outside users.

Ms. Holt continued with presentation.

Chair Caldwell, speaking in regards to 6 bed facility rates: Which is a slightly higher rate.

Ms. Holt: Which if the new rates are approved and we are able to pay the max rate under our budget it would be a small increase.

Chair Caldwell: Are there any questions regarding the presentation? If not, Ms. Snider are you ready to speak.

Ms. Snider: First of all, on behalf of OJDA, we did meet and felt like it was productive and we were heard. Which during our tenure has been rare. I would like to say we do want to be good partners. We are in our opinions, an important part of the juvenile justice system. We take kids that the community, parents and workers can't control and get them stabilized. We forget that sometimes there is a short term need for the children to be in detention. We have a couple of suggestions. One, it has been 11 years since review and it is our fear that next review could take that long. We would like to see an annual review and at that review OJDA will be included. The reason being, detention centers are the part of the system where rubber meets the road. We know if the alternatives are in place and working, we know where the judges are placing. We have valuable system knowledge. Two, We value those 6 bed facilities and will continue to advocate for them. We understand if the system continues to shrink these will be on the chopping block. We are concerned that numbers and systems can change and that the next administration may make changes without our input. Thank you.

Chair Caldwell: Thank you for coming and your comments. Does anyone have questions for Ms. Snider? Thank you Ms. Snider. Are there any wrap up comments or questions for our staff.

Dr. Grissom: How can we formally address OJDA's recommendations or concerns?

Chair Caldwell: The plan is proposed through our committee process. If you want to amend we can consider before moving to adoption.

Dr. Grissom: I would like to do that. I find the notion of making part of the plan, making a review required a wise thing. It would be an excellent addition. Do we need a discussion on the time-frame?

Chair Caldwell: I have been working with Director on this plan for a few years now. It has been a time consuming effort. Due to the required philosophical discussions. I think we started off that 10 years is too long. I don't think anyone thinks that is appropriate. There is no requirement on review. I would be mindful that quality review and not committing future boards to that.

Director Buck: This is a lengthy document. On page 14, there is an expectation to review the formula annually. That may be an appropriate place to make an amendment.



Dr. Grissom: Before I make a motion, I want to be mindful of agency and association needs. If we are going to formally commit to a review, what is a reasonable rotating schedule for a thorough review of the plan?

Vice Chair Youngblood: We haven't reviewed in 10 years. It seems to be a bit early to create a schedule. It is our responsibility to review or at least ask for a review on how the plan is working and at that point we could create a timely schedule.

Judge Foss: If we went 10 years without a review, maybe you ought to make a mandatory review but not yearly maybe at least every 5 years.

Dr. Grissom: Without a mandate, we won't review it as the past has proven.

Vice Chair Youngblood: I am ok with the 5.

Chair Caldwell: How about I make a suggestion of 5 years and we argue that.

Judge Foss: A comprehensive review?

Dr. Grissom: A mandatory 5 year comprehensive review, does that address your concerns?

Ms. Snider: A formula that decides utilization rates annually, we want to be part of that.

Judge Foss: So you want to be involved in the annual review?

Chair Caldwell: With all due respect, I appreciate your desire there. That is not appropriate to be part of the plan. It is always appropriate to engage with our partners. I don't think that, in my personal opinion, needs to be part of the plan.

Dr. Grissom: Do we have that language in any other plan?

Chair Caldwell: Not that I am aware of.

Director Buck: I think there is statutory language to allow the youth services has a voice in their plan.

Chair Caldwell: Are there any amendments that a board member would like to make before we formally adopt the plan? Is there a motion to approve the plan as presented?

Judge Foss: With the 5 year review built in?

Chair Caldwell: We haven't taken that up. Let's do this, let's have a motion and a second then we can have a discussion, is there a motion.

Ms. Jones: So moved.

Vice Chair Youngblood: Seconded.

Chair Caldwell: Is there any further discussion? This is the appropriate place for an amendment.

Dr. Grissom: I believe we should amend the plan to include a specification of a 5 year comprehensive review.

Chair Caldwell: I believe it is important to get the language exactly as we want it. You may want to review with an attorney.

Dr. Grissom: I would appreciate the assistance so that the language is in the appropriate format for the document.

Chair Caldwell: Here is what we are going to do. I am going to recess for 10 minutes for a break and our attorneys to do their work.

Recessed at 10:25 a.m. and returned at 10:38 a.m.

Chair Caldwell: We are back in session. Where we left off is discussion on amendments to the plan. Dr. Grissom, I am going to recognize you for that amendment.

Dr. Grissom: I move, under Section 9 Best Practice and Philosophies, the Board of Juvenile Affairs shall perform a comprehensive review of this plan, at a minimum, of five (5) years from the date of its last approval.

Chair Caldwell: You have heard the motion as it has been made, is there a second to that motion?

Mr. Tardibono: Just to clarify, on page 12, we would add a number 9 with the amendatory language, correct?

Chair Caldwell: Correct.

Judge Foss: Seconded.

Adoption of the amending language to the State Plan for Detention

Dr. Grissom made the motion with a second by Judge Foss

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Amendment to the State Plan for Detention has been adopted.

Chair Caldwell: We are now on the amendment to approve the State Plan as amended. Does anyone have any questions or comments? I have a couple of comments. First of all, I want to thank our colleagues at OJDA for the cooperation and help. I believe you will find as we come into the expiration of the next 12 months and you will be welcomed in the next discussion. We will need to have a discussion regarding a special facility and we will need your input. Getting to this point has been deliberate. We have changed our work with our youth service providers, to get to a new place. I think, from my perspective, that this is a beginning for detention. We will need to see what occurs in the coming year. I would encourage the Board to review in the next 12 months. This is just one part, of ongoing organization changes over the last 5 years. I would like to thank the professional team and Karen for their work. It just raises the point that is board driven. It really matters how much board members are engaged in the process and that is reflective in the final result. With that said, call the roll.

Discussion and possible vote to approve the State Plan for the Establishment of Secure Detention Services

Ms. Jones moved to approve with a second by Ms. Youngblood

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Amended State Plan for the Establishment of Secure Detention Services has been adopted.

Chair Caldwell: Kevin, I am recognizing you for your presentation. Before that, I want to verify there are no public comments. Ok, there are no public comments. You may begin.

Presentation on recommended Rates and Standards

Mr. Clagg presented the attached.

Discussion and/or possible vote to approve rates and standards for RS20-003 - Flex Emergency Shelter Beds at a rate of \$138.63 per bed per day

Mr. Burrage moved to approve with a second by Judge Foss

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for RS20-003 - Flex Emergency Shelter Beds at a rate of \$138.63 per bed per day approved.

Discussion and/or possible vote to approve rates and standards for Detention Center - Facility Size 6 – 7 beds, RS20-002-01 – base rate \$179.91

Dr. Grissom moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center - Facility Size 6 – 7 beds, RS20-002-01 – base rate \$179.91 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility Size 6 – 7 beds, RS20-002-02 – Tier 1 rate \$184.41

Mr. Burrage moved to approve with a second by Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility Size 6 – 7 beds, RS20-002-02 – Tier 1 rate \$184.41 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 8 – 9 beds, RS20-002-03 – base rate \$168.92

Dr. Grissom moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 8 – 9 beds, RS20-002-03 – base rate \$168.92 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 8 – 9 beds, RS20-002-04 – Tier 1 rate \$173.14

Dr. Emerson moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 8 – 9 beds, RS20-002-04 – Tier 1 rate \$173.14 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 10 – 11 beds, RS20-002-05 – base rate \$141.07

Mr. Burrage moved to approve with a second by Dr. Grissom

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 10 – 11 beds, RS20-002-05 – base rate \$141.07 approved

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 10 – 11 beds, RS20-002-06 – Tier 1 rate \$144.60

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 10 – 11 beds, RS20-002-06 – Tier 1 rate \$144.60 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 12 – 13 beds, RS20-002-07 – base rate \$128.21

Dr. Emerson moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 12 – 13 beds, RS20-002-07 – base rate \$128.21 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 12 – 13 beds, RS20-002-08 – Tier 1 rate \$131.42

Dr. Grissom moved to approve with a second by Judge Foss

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 12 – 13 beds, RS20-002-08 – Tier 1 rate \$131.42 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 14 – 17 beds, RS20-002-09 – base rate \$122.41

Mr. Burrage moved to approve with a second by Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 14 – 17 beds, RS20-002-09 – base rate \$122.41 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 14 – 17 beds, RS20-002-10 – Tier 1 rate \$125.47

Dr. Grissom moved to approve with a second by Ms. Jones and Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 14 – 17 beds, RS20-002-10 – Tier 1 rate \$125.47 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 18 – 19 beds, RS20-002-11 – base rate \$120.95

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 18 – 19 beds, RS20-002-11 – base rate \$120.95 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 18 – 19 beds, RS20-002-12 – Tier 1 rate \$123.97

Dr. Grissom moved to approve with a second by Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 18 – 19 beds, RS20-002-12 – Tier 1 rate \$123.97 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 20 – 25 beds, RS20-002-13 – base rate \$119.83

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 20 – 25 beds, RS20-002-13 – base rate \$119.83 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 20 – 25 beds, RS20-002-14 – Tier 1 rate \$122.83

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 20 – 25 beds, RS20-002-14 – Tier 1 rate \$122.83 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 26 – 29 beds, RS20-002-15 – base rate \$116.36

Mr. Burrage moved to approve with a second by Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 26 – 29 beds, RS20-002-15 – base rate \$116.36 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 26 – 29 beds, RS20-002-16 – Tier 1 rate \$119.27

Dr. Grissom moved to approve with a second by Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 26 – 29 beds, RS20-002-16 – Tier 1 rate \$119.27 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 30 – 54 beds, RS20-002-17 – base rate \$110.89

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 30 – 54 beds, RS20-002-17 – base rate \$110.89 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 30 – 54 beds, RS20-002-18 – Tier 1 rate \$113.66

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 30 – 54 beds, RS20-002-18 – Tier 1 rate \$113.66 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 55 – 78 beds, RS20-002-19 – base rate \$108.63

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 55 – 78 beds, RS20-002-19 – base rate \$108.63 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 55 – 78 beds, RS20-002-20 – Tier 1 rate \$111.35

Dr. Grissom moved to approve with a second by Dr. Emerson and Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 55 – 78 beds, RS20-002-20 – Tier 1 rate \$111.35 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 79+ beds, RS20-002-21 – base rate \$97.39

Dr. Grissom moved to approve with a second by Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 79+ beds, RS20-002-21 – base rate \$97.39 approved.

Discussion and/or possible vote to approve rates and standards for Detention Center Facility Size - Detention Center Facility 79+ beds, RS20-002-22 – Tier 1 rate \$99.82

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Rates and standards for Detention Center Facility Size - Detention Center Facility 79+ beds, RS20-002-22 – Tier 1 rate \$99.82 approved.

Update on the Next Generation Campus Project

Video presented to the Board.



Chair Caldwell: I want to take a moment of personal privilege, to thank Dr. Grissom but especially to Judge Foss for serving on the subcommittee. The Director and I talked about the need to have complete engagement for design and implementation. I just want to thank you for taking this project on. I appreciate your service very much.

Judge Foss: I want to give a brief update on the change order. The leak location. It is coming from the swimming pool and experts are on-site looking at the situation.

Mr. Tardibono: Is this increase within our variance?

Mr. Clagg: Yes, we have a 10% cap in our variances but, yes, we are in variance. We are not close to our cap. I will keep you update.

Chair Caldwell: Any other questions?

Discussion and/or possible vote to approve change order NGF-006 to Flintco contract – Remediation of unsuitable soil conditions caused by water leakage at site for building 5 & 6, \$113,509 increase

Judge Foss moved to approve with a second by Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Worthen

Change order NGF-006 to Flintco contract – Remediation of unsuitable soil conditions caused by water leakage at site for building 5 & 6, \$113,509 increase approved.

Approval of Minutes for the November 20, 2019, Board Meeting

Dr. Emerson moved to approve with a second by Ms. Jones

Ayes: Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Abstain: Burrage

Absent: Worthen

November 20, 2019, board minutes approved.

Discussion and/or possible vote to approve the year-to-date OJA Finance Report

Mr. Tardibono: Why are we sole sourcing GED testing through agency financing?

Mr. Clagg: We don't actually need to but it could increase through the year so increased the amount and brought to you for proposal.

Dr. Shawler: This isn't for GED testing. It is for psycho-diagnostic testing to assist with getting our students on an Individualized Education Plan (IEP). This was a higher amount and is now a decrease.

Mr. Clagg: This is a reduction. There is a possibility it could go over. Most public school are not required to use the state wide contracts like a state agency. This is one of those weird time when we function as both.

Mr. Tardibono: Why is this an OJA function and not a charter school function?

Mr. Clagg: It is both. We just have to show due to the fact it is aggregated numbers.

Dr. Buck: This was a matter of question during our budget hearing, our carry over is high due the expectation of bond obligations.

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Year-to-date OJA Finance Report approved.

Discussion and/or possible vote to approve 2019-2020 year-to-date Oklahoma Youth Academy Charter School Finance Report

Dr. Grissom moved to approve with a second by Mr. Burrage and Ms. Jones

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

2018-2019 year-to-date Oklahoma Youth Academy Charter School (OYACS) Finance Report approved.

Discussion and/or possible vote to approve the FY2020 encumbrances for the Oklahoma Youth Academy Charter School

Ms. Jones moved to approve with a second by Mr. Burrage

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

The FY2020 encumbrance for OYACS approved.

Vote to enter Executive Session

Mr. Tardibono moved to enter executive session with a second by Dr. Emerson and Judge Foss

Ayes: Burrage, Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood  
Absent: Worthen

Board entered Executive Session at 11:25 a.m.

Mr. Burrage left the meeting.

Vote to return from Executive Session

Dr. Grissom moved to return from executive session with a second by Judge Foss

Aye: Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Burrage and Worthen

Board returned from Executive Session at 11:41 a.m.

Announcements/comments

Director Buck and Vice Chair Youngblood recognized Chair Caldwell for his service to the Board.

New business; as authorized by [25 O.S. § 311\(A\) \(9\)](#)

No new business.

Adjournment

Vice Chair Youngblood moved to adjourn with a second by Dr. Emerson.

Aye: Caldwell, Emerson, Foss, Grissom, Jones, Tardibono, and Youngblood

Absent: Burrage and Worthen

Chair Caldwell adjourned the meeting at 1:09 p.m.

Minutes approved in regular session on the 18th day of December, 2019.

Prepared by:

  
Audrey Rockwell, Secretary

Signed by:

  
Karen Youngblood, Chair