SHORT TITLE: Juveniles; creating the Oklahoma State School; codification; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 265 By: Horner of the Senate

and

Toure of the House

AS INTRODUCED

An Act relating to juveniles; creating the Oklahoma State School; establishing governing board; stating membership, terms and appointing authority; providing for vacancies and travel reimbursement; setting initial meeting date; requiring election of certain officers; directing Superintendent of Public Instruction to provide staff assistance; stating duties and responsibilities of governing board; authorizing hiring of staff; providing school mission statement and eligibility standards; directing application process; requiring certain tuition and transfer of certain funds; creating the Oklahoma State School Revolving Fund; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1510 of Title 10, unless there is created a duplication in numbering, reads as follows:

There is hereby created the Oklahoma State School, which shall be a secondary school and residential facility for post-adjudicated male juveniles in the custody of the Oklahoma Department of Juvenile

Justice. The Oklahoma State School shall be governed by a Board of Trustees as created in Section 2 of this act.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1511 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Board of Trustees of the Oklahoma State School shall consist of five (5) members, as follows:

1. The Director of the Department of Juvenile Justice, or a designee;

2. Two members appointed by the Governor, one of whom shall be the Superintendent of Public Instruction;

3. One member appointed by the President Pro Tempore of the Senate; and

4. One member appointed by the Speaker of the House of Representatives.

B. 1. The terms of office of the members appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall be coterminous with those of the appointing authority.

2. The terms of office of the initial members appointed by the Governor shall be as follows:

a. the Superintendent of Public Instruction shall serve a term that is coterminous with that of the Governor, and

b. the remaining member shall serve a two-year term.

Upon the expiration of the term of the initial member appointed by the Governor, a successor shall be appointed for a six-year term.

C. Any vacancy occurring in the membership of the Board shall be filled for the unexpired term by the appointing authority making the original appointment.

D. Members of the Board shall serve without pay, but shall be reimbursed for travel expenses in attending meetings and performing

their duties pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1512 of Title 10, unless there is created a duplication in numbering, reads as follows:

The Superintendent of Public Instruction shall convene the initial meeting of the Board of Trustees of the Oklahoma State School not later than August 1, 1995. At the initial meeting of the Board and annually thereafter, the members shall elect from among its membership a chairperson and a vice-chairperson. The chairperson shall preside at all meetings of the Board and shall have the power to call meetings of the Board with proper notice. The vice-chairperson shall perform these functions in the absence or incapacity of the chairperson. A majority of the members of the Board shall constitute a quorum for the purpose of conducting official business of the Board. Staff assistance to the Board shall be provided by the Superintendent of Public Instruction.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1513 of Title 10, unless there is created a duplication in numbering, reads as follows:

The Board of Trustees of the Oklahoma State School, in order to perform its duties in governing the Oklahoma State School, shall have the following duties and responsibilities:

1. To employ a superintendent to administer and operate the Oklahoma State School;

2. To prepare a budget request for the Oklahoma State School and to submit the budget request to the Office of Juvenile Affairs for submission to the Oklahoma Legislature and the Governor by October 1 of each year;

3. The Board may accept gifts of real and personal property, money and other things for the use and benefit of the Oklahoma State

School, and use or dispose of the same in accordance with the directions of the donors or grantors thereof;

4. To purchase, own and acquire by lease or gift such motor vehicles as are reasonably necessary for the implementation of the programs of the Oklahoma State School; and

5. To promulgate rules necessary to implement the provisions of this act and any other requirements placed upon the Board of Trustees by law.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1514 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The superintendent of the Oklahoma State School shall possess an advanced degree in secondary education or in a field related to treatment, counseling or education of juvenile delinquents.

B. The superintendent shall employ, with the approval of the Board of Trustees of the Oklahoma State School, teachers, instructors, counselors and any staff necessary to operate the Oklahoma State School and its ancillary activities.

C. The superintendent shall be responsible for the implementation of the curriculum and treatment program as required by state law and the Board of Trustees.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1515 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The mission of the Oklahoma State School shall be to:

1. Change the behavior of its students from antisocial to pro-social; and

2. Assist students in developing life skills that will help them in sustaining behavioral change outside the school environment.

B. The Oklahoma State School shall base its operating philosophy on the tenet that juveniles committed to the Oklahoma

State School have personal endowment and unlimited potential to learn and develop.

C. The Oklahoma State School shall have the following objectives:

1. Create behavioral change through modification techniques utilizing peer pressure and group interaction to challenge negative behavior and model pro-social behavior; and

2. Maintain regular communication with the families, parents or guardians regarding the students' progress, goals or problems. Counselors of the Oklahoma State School shall not provide direct or indirect social work services to the families, parents or guardians of the students.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1516 of Title 10, unless there is created a duplication in numbering, reads as follows:

Post-adjudicated male juveniles in the custody of the Oklahoma Department of Juvenile Justice may attend the Oklahoma State School if they meet the following eligibility criteria:

1. Are between the ages of fifteen (15) and eighteen (18) years;

2. Have an intelligence quotient score of eighty (80) or above;

3. Are not emotionally disturbed and do not have a history of psychotic, self-destructive or arson behaviors;

4. Have made application to the school;

5. Have been determined acceptable according to screening and admissions standards established by the Oklahoma State School; and

6. Have met any other criteria established by state law.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1517 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Department of Juvenile Justice shall offer an opportunity to apply to the Oklahoma State School to all males in

its custody who are fifteen (15) years of age through eighteen (18) years of age who meet the eligibility criteria.

B. The Oklahoma State School shall duly consider all applications to attend the School in accordance with eligibility criteria herein established, admissions standards established by the school and any other criteria established by state law or the Board of Trustees of the Oklahoma State School.

C. The Oklahoma Department of Juvenile Justice shall provide to the Oklahoma State School a payment of tuition for each student accepted to the school.

D. Tuition for the Oklahoma State School shall be the actual per capita daily cost for the student to be a resident of the school, multiplied by the duration of the student's commitment to the school. In no event shall tuition exceed the cost which a juvenile placed in a secure detention program within the Department of Juvenile Justice would cost during a similar duration.

E. The resident school districts of students of the Oklahoma State School shall transfer to the educating school district for the Oklahoma State School that portion of their State Aid Formula that would have been used by the resident school district to educate the student in the resident school district. These transfer payments shall cease once the student leaves the Oklahoma State School.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1518 of Title 10, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma State School, to be designated the "Oklahoma State School Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Board of Trustees of the Oklahoma State School from all sources. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Board of

Trustees of the Oklahoma State School for the purpose of developing the Oklahoma State School. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 10. This act shall become effective July 1, 1995.

SECTION 11. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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