

1 ENGROSSED SENATE  
2 BILL NO. 696

By: Rader of the Senate

3 and

4 Boatman and Miller of the  
5 House

6 An Act relating to children; amending 10 O.S. 2021,  
7 Section 600, which relates to definitions; removing  
8 and modifying definitions; modifying statutory  
9 reference; amending 10 O.S. 2021, Section 601.1,  
10 which relates to membership of Oklahoma Commission on  
11 Children and Youth; modifying membership of  
12 Commission; clarifying term limitation for certain  
13 members; modifying frequency of certain report;  
14 requiring membership terms to coincide with fiscal  
15 year; amending 10 O.S. 2021, Section 601.5, which  
16 relates to Director of the Commission; modifying  
17 certain duty of the Director; amending 10 O.S. 2021,  
18 Section 601.6a, which relates to Office of Planning  
19 and Coordination for Services to Children and Youth;  
20 removing, modifying, and adding certain duties;  
21 amending 10 O.S. 2021, Section 601.6b, which relates  
22 to State Plan for Services to Children and Youth;  
23 modifying and eliminating certain requirements  
24 relating to State Plan for Services to Children and  
Youth; extending time period of State Plan;  
broadening recipients of State Plan; amending 10 O.S.  
2021, Section 601.14, which relates to the Children's  
Endowment Fund of Oklahoma; modifying purpose of  
fund; broadening purpose of Parent Partnership Board;  
expanding allowed expenses of funds; limiting  
expenditures of fund; amending 10 O.S. 2021, Sections  
1116.2, 1116.3, and 1116.6, which relate to  
postadjudication review boards; modifying  
terminology; removing obsolete language; increasing  
length of review board terms; modifying applicability  
of certain provisions; eliminating certain duties of  
review boards and State Postadjudication Review  
Advisory Board; amending 10 O.S. 2021, Section  
1150.2, which relates to the Child Death Review  
Board; extending termination date; modifying  
terminology; amending 10A O.S. 2021, Section 2-10-  
102, which relates to the Oklahoma Mentoring Children

1 of Incarcerated Parents Program; modifying frequency  
2 of issuance of requests for proposals; updating  
3 statutory language; repealing 10 O.S. 2021, Sections  
4 601.9, 601.11, and 601.12, which relate to the  
5 Oklahoma Commission on Children and Youth; and  
6 declaring an emergency.

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

8 SECTION 1. AMENDATORY 10 O.S. 2021, Section 600, is  
9 amended to read as follows:

10 Section 600. As used in Sections 601.1 through ~~601.12~~ 601.14 of  
11 this title:

12 1. "Children and youth service system" means health, mental  
13 health, social, rehabilitative assistance and educational services  
14 provided to children and youth by and through the courts and public  
15 and private agencies;

16 2. "Client" means a child or a family member of a child who is  
17 receiving services through the children and youth service system;

18 3. "Commission" means the Oklahoma Commission on Children and  
19 Youth;

20 4. ~~"Community partnership board" means the local district  
21 planning and coordinating body for services to children and youth  
22 established pursuant to Section 601.11 of this title;~~

23 5. ~~"Community partnership district" means the local planning  
24 and coordinating areas within the state established pursuant to  
Section 601.11 of this title;~~

1       ~~6.~~ "Homeless children and youth" means a person twenty-one (21)  
2 years of age or younger who is:

- 3           a. unaccompanied by a parent or guardian, and
- 4           b. without shelter where appropriate care and supervision
- 5               are available, or
- 6           c. without a parent or guardian who is willing and able
- 7               to provide shelter and care, or
- 8           d. without a fixed, regular, or adequate nighttime
- 9               residence. For the purposes of this paragraph,
- 10           "fixed, regular, or adequate nighttime residence"
- 11               shall not include a supervised publicly or privately
- 12               operated shelter or institution designed to provide
- 13               temporary living accommodations, transitional housing
- 14               arrangements, living in hotels, temporary living
- 15               arrangements with other people but without an
- 16               opportunity for permanent residence or a residential
- 17               lease, or a public or private place not designed for,
- 18               nor ordinarily used as, a regular sleeping
- 19               accommodation for human beings;

20       ~~7. "Runaway" means an unmarried child less than eighteen (18)~~  
21 ~~years of age who is absent from the home of a parent, guardian or~~  
22 ~~other lawful placement without the consent of the parent, guardian~~  
23 ~~or lawful custodian;~~

1       ~~8. "State and state-supported services to children and youth"~~  
2 ~~means services to children and youth, offered or provided by a~~  
3 ~~public or private agency or organization, that are supported in~~  
4 ~~whole or in part through state funds or federal funds administered~~  
5 ~~by the state;~~

6       ~~9.~~ 5. "State Plan for Services to Children and Youth" means the  
7 planning document required by Section ~~601.9~~ 601.6a of this title;  
8 and

9       ~~10.~~ 6. "Youth at risk of homelessness" means a person twenty-  
10 one (21) years of age or younger whose status or circumstances  
11 indicate a significant danger of experiencing homelessness in the  
12 near future, including but not limited to youth exiting out-of-home  
13 placements, youth who previously were homeless, youth whose parents  
14 or guardians are or were previously homeless, youth who are exposed  
15 to abuse and neglect in their homes, and youth who experience  
16 excessive conflict with their parents ~~and runaways.~~

17       SECTION 2.       AMENDATORY       10 O.S. 2021, Section 601.1, is  
18 amended to read as follows:

19       Section 601.1. A. There is hereby created the Oklahoma  
20 Commission on Children and Youth which shall be composed of ~~nineteen~~  
21 ~~(19)~~ eighteen (18) members. The membership shall include:

22       1. The Director of the Department of Human Services, the State  
23 Commissioner of Health, the Commissioner of the Department of Mental  
24 Health and Substance Abuse Services, the State Superintendent of

1 Public Instruction, the Administrator of the Oklahoma Health Care  
2 Authority, the Director of the State Department of Rehabilitation  
3 Services, and the Chair of the SJR 13 Oversight Committee;

4 2. The Executive Director of the Office of Juvenile Affairs;

5 3. Five members who shall be appointed by the Governor from a  
6 list submitted by the governing board of each of the following  
7 organizations:

8 a. the Oklahoma Children's Agencies and Residential  
9 Enterprises,

10 b. one statewide association of youth services,

11 c. the Oklahoma Bar Association,

12 d. the Oklahoma District Attorneys Association, and

13 e. a statewide court-appointed Special Advocate  
14 Association;

15 4. One member appointed by the Governor who shall represent one  
16 of the metropolitan juvenile bureaus;

17 5. One member representing business or industry, appointed by  
18 the Governor;

19 6. One member who is the parent of a child with special needs,  
20 appointed by the Speaker of the House of Representatives;

21 7. One member with a demonstrated interest in improving  
22 children's services who is not employed by a state agency or a  
23 private organization that receives state funds, appointed by the  
24 President Pro Tempore of the Senate; and

1       8. ~~One member who represents a community partnership board to~~  
2 ~~be elected pursuant to the guidelines established by the Oklahoma~~  
3 ~~Commission on Children and Youth; and~~

4       ~~9.~~ One member who shall be appointed by the Governor from a  
5 list of three names submitted by the Post Adjudication Review Board.

6       B. The appointed members shall have had active experience in  
7 services to children and youth and may serve four terms of two (2)  
8 years each. ~~Any appointed member serving on the Commission on the~~  
9 ~~effective date of this act shall be entitled to complete his or her~~  
10 ~~term and shall be eligible to serve one additional term of two (2)~~  
11 ~~years. Any person who served on the Commission prior to the~~  
12 ~~effective date of this act shall be eligible to serve one additional~~  
13 ~~term of two (2) years~~ A person appointed to fill the remainder of a  
14 vacant term shall, upon completion of that term, be eligible to  
15 serve four additional two-year terms. Terms shall coincide with the  
16 fiscal year.

17       C. The Oklahoma Commission on Children and Youth shall provide  
18 a ~~monthly~~ report on ~~commission~~ Commission member attendance to the  
19 appointing authorities following each Commission meeting.

20       SECTION 3.       AMENDATORY       10 O.S. 2021, Section 601.5, is  
21 amended to read as follows:

22       Section 601.5. A. The Oklahoma Commission on Children and  
23 Youth shall appoint a Director who shall be a person having  
24 experience in the operation and administration of services to

1 children and youth. Such Director shall be appointed for a term of  
2 two (2) years, and may be reappointed. Such Director may be  
3 dismissed only for cause. The Director shall:

4 1. Employ such staff as may be necessary to perform the duties  
5 of the Commission, with the advice and approval of the Commission;

6 2. Prepare ~~the State Plan for Services to Children and Youth,~~  
7 ~~the Annual Report required by Section 601.9 of this title~~ an annual  
8 report summarizing the activities of the Oklahoma Commission on  
9 Children and Youth for the previous fiscal year, other reports as  
10 necessary and appropriate, and an annual budget for the approval of  
11 the Commission;

12 3. Formulate and recommend rules and regulations for approval  
13 or rejection by the Commission;

14 4. Serve as chief executive officer of the Oklahoma Commission  
15 on Children and Youth; and

16 5. Act as agent as authorized for the Commission in the  
17 performance of its duties.

18 B. The Director may periodically convene issue-specific task  
19 groups for the purpose of improving services for children and youth.  
20 A copy of any report or recommendations which result from meetings  
21 of a task group shall be provided to the Commission, Governor,  
22 Speaker of the House of Representatives, President Pro Tempore of  
23 the Senate and the director of each state agency affected by the  
24 report or recommendations.

1       SECTION 4.       AMENDATORY       10 O.S. 2021, Section 601.6a, is  
2 amended to read as follows:

3       Section 601.6a. The Office of Planning and Coordination for  
4 Services to Children and Youth shall:

5       1. Convene meetings of public and private agencies that provide  
6 services to children and youth for the purpose of facilitating and  
7 implementing joint planning and service coordination among said  
8 agencies;

9       2. ~~Provide the community partnership boards with fiscal and~~  
10 ~~other information related to the children and youth service system~~  
11 ~~necessary to assist the partnership boards with the performance of~~  
12 ~~their duties and responsibilities;~~

13       3. ~~Annually prepare, with the advice and assistance of the~~  
14 ~~community partnership boards~~ Prepare, with input from the Parent  
15 Partnership Board and affected public and private agencies, ~~the a~~  
16 State Plan for Services to Children and Youth for the upcoming three  
17 (3) years for the approval of the Commission;

18       4. ~~Examine all plans, budgets and related documents pertaining~~  
19 ~~to the planning, coordination and development of the children and~~  
20 ~~youth service system;~~

21       5. ~~Review, monitor and evaluate the children and youth service~~  
22 ~~system regarding the development of services, progress towards~~  
23 ~~effective joint planning and service coordination, and compliance~~  
24 ~~with established state policies and goals~~



1        3. Make recommendations, to be included in the State Plan, for  
2 the development and improvement of services provided to children and  
3 youth, including homeless children and youth and youth at risk of  
4 homelessness; and

5        ~~6.~~ 4. Issue reports to the Governor, Speaker of the House of  
6 Representatives, President Pro Tempore of the Senate, Chief Justice  
7 of the Supreme Court of the State of Oklahoma, public and private  
8 agencies, and such other persons as necessary and appropriate.

9        SECTION 5.        AMENDATORY        10 O.S. 2021, Section 601.6b, is  
10 amended to read as follows:

11        Section 601.6b. A. On or before ~~July 1 of each year~~ July 1,  
12 2023, and on or before July 1 of every third year thereafter, the  
13 Oklahoma Commission on Children and Youth shall transmit to the  
14 Director of the Office of Management and Enterprise Services ~~and to,~~  
15 the director of each affected agency, the President Pro Tempore of  
16 the Senate, the Speaker of the House of Representatives, and the  
17 Governor a copy of the State Plan for Services to Children and Youth  
18 for the next three (3) fiscal year years.

19        B. ~~The Office of Planning and Coordination shall on or before~~  
20 ~~January 1 of each year provide a written report to the Legislature~~  
21 ~~on its expenditures to community partnership boards.~~

22        ~~C.~~ The Office of Planning and Coordination, with the assistance  
23 of the Office of Management and Enterprise Services and affected  
24 agencies, may assemble topic-specific reports regarding services to

1 children, youth, and families to include program descriptions, past  
2 and current expenditures, future budget requests, and a description  
3 of program outcomes as directed by the Legislature or the  
4 Commission.

5 SECTION 6. AMENDATORY 10 O.S. 2021, Section 601.14, is  
6 amended to read as follows:

7 Section 601.14. A. There is hereby created in the State  
8 Treasury a fund for the Oklahoma Commission on Children and Youth to  
9 be designated the "Children's Endowment Fund of Oklahoma". The fund  
10 shall be a continuing fund, not subject to fiscal year limitations,  
11 and shall consist of all monies received through donations or  
12 interest earned by investment of monies in the fund. The fund shall  
13 be invested by the State Treasurer in accordance with Section 89.2  
14 of Title 62 of the Oklahoma Statutes.

15 B. Funds deposited into the Children's Endowment Fund of  
16 Oklahoma and any earnings therefrom, including any interest,  
17 dividends or realized capital gains from investment of monies in the  
18 fund, shall be administered by the Oklahoma Commission on Children  
19 and Youth ~~for the purpose of awarding grants in order to stimulate,~~  
20 which is authorized to award grants to further the public purpose of  
21 stimulating a broad range of innovative programs, activities or  
22 research or evaluation that will improve the well-being and reduce  
23 the adverse childhood experiences of Oklahoma's children. The funds  
24 shall not be used to expand existing services or to support ongoing

1 core services. The Commission may also direct the State Treasurer  
2 to reinvest any earnings into the corpus of the fund.

3 C. The Oklahoma Commission on Children and Youth shall  
4 promulgate rules to:

5 1. Establish a Parent Partnership Board for the purpose of  
6 informing the work of Oklahoma's child-serving systems ~~including the~~  
7 ~~development and evaluation of the grants,~~ assisting members of the  
8 Commission and their respective entities with areas of concern,  
9 supporting the Commission in the process of developing and awarding  
10 grants supported by the Children's Endowment Fund of Oklahoma, and  
11 other activities upon request; and

12 2. Establish criteria and procedures for awarding grants.

13 D. The Oklahoma Commission on Children and Youth ~~shall~~ may use  
14 up to ten percent (10%) of the funds deposited in the Children's  
15 Endowment Fund of Oklahoma ~~to be available to the Commission~~ in any  
16 given fiscal year to provide administration, oversight, training or  
17 evaluation of the grantees or the Parent Partnership Board.

18 E. Monies from the fund may be expended by the Oklahoma  
19 Commission on Children and Youth in accordance with the provisions  
20 of this section upon warrants issued by the State Treasurer against  
21 claims filed as prescribed by law with the Director of the Office of  
22 Management and Enterprise Services for approval and payment.

1        F. Notwithstanding any other provision of law, funds deposited  
2 in the Children's Endowment Fund of Oklahoma shall only be expended  
3 as provided in this section.

4        SECTION 7.        AMENDATORY        10 O.S. 2021, Section 1116.2, is  
5 amended to read as follows:

6        Section 1116.2. A. There is hereby established a  
7 postadjudication review board in each judicial district in the  
8 state. Members and alternate members of the postadjudication review  
9 boards shall be residents of or employed within the judicial  
10 district in which the board serves and shall be appointed by the  
11 Director of the Oklahoma Commission on Children and Youth after  
12 consultation with judges in the judicial district having juvenile  
13 docket responsibility, ~~provided that in.~~ In the event of a conflict  
14 of interest or for any reason when circumstances ~~or the appearances~~  
15 ~~of justice~~ dictate, the Director ~~of the Oklahoma Commission on~~  
16 ~~Children and Youth~~ may transfer the appointment decision to the  
17 ~~entire Oklahoma Commission on Children and Youth~~ whose decision  
18 shall be final ~~and further provided, that any.~~ An aggrieved  
19 ~~aspirant~~ candidate may appeal ~~the~~ a decision of the Director denying  
20 appointment ~~by the Director of the Oklahoma Commission on Children~~  
21 ~~and Youth~~ within five (5) days to the ~~Oklahoma Commission on~~  
22 ~~Children and Youth~~ Commission, whose decision shall be final. The  
23 ~~Oklahoma Commission on Children and Youth~~ Commission may establish

1 additional postadjudication review boards as needed for each county  
2 within a judicial district.

3 B. A postadjudication review board for each judicial district  
4 shall consist of at least five (5) members. Alternate review board  
5 members may be appointed to serve in the absence of a regularly  
6 appointed board member. Alternate board members shall be appointed  
7 in the same manner as regularly appointed board members.~~On and~~  
8 ~~after September 1, 1991, currently serving board members shall serve~~  
9 ~~until appointments are made by the Commission on Children and Youth.~~  
10 ~~The Commission on Children and Youth shall complete initial~~  
11 ~~appointments to the review boards no later than June 30, 1992.~~

12 C. Board members shall be appointed for a term of ~~three (3)~~  
13 five (5) years. Members shall serve after the expiration of their  
14 terms until their respective successors shall have been appointed.  
15 Vacancies shall be filled for the duration of unexpired terms. The  
16 review board members shall be appointed ~~according to the following~~  
17 guidelines as follows:

18 1. One member shall be a person who has training or experience  
19 in issues concerning child welfare, or a person who has demonstrated  
20 an interest in children through voluntary community service or  
21 professional activities;

22 2. Whenever possible, at least one member of the board shall be  
23 an individual who has served as a foster parent, provided that no  
24

1 person on the review board shall participate as a board member in  
2 any review hearing in which the person is a party; and

3 3. No more than one person employed by any child welfare agency  
4 or juvenile court may be appointed to a board at the same time,  
5 provided such person shall not participate in any review hearing in  
6 which the person is professionally involved.

7 D. Each ~~postadjudication~~ review board shall annually elect a  
8 chair and shall ~~notify~~ provide the Commission ~~on Children and Youth~~  
9 ~~as to the name and address~~ with the contact information of the  
10 chair. A list of the members of each local board and its officers  
11 shall be filed with the Presiding Judge of the judicial district and  
12 each judge within the district having juvenile docket  
13 responsibility.

14 E. There shall be a rebuttable presumption that a person  
15 participating in a judicial proceeding as a postadjudication review  
16 board member ~~or a postadjudication review advisory board~~, a member  
17 of the State Postadjudication Review Advisory Board created in  
18 Section 1116.6 of this title, or postadjudication review board  
19 ~~coordinator~~ staff is acting in good faith. When acting in good  
20 faith, a participant shall be immune from any civil liability that  
21 might otherwise be incurred or imposed. Each ~~postadjudication~~  
22 review board shall meet as often as is necessary at a place it  
23 designates to carry out the duties of the board established by  
24 Section 1116.3 of this title. The review board shall meet at least

1 twice annually. Each review board shall be subject to the  
2 provisions of the Oklahoma Open Meeting Act, except that the actual  
3 case reviews shall be held in executive session; ~~provided, however,~~  
4 ~~that upon the request of the board,~~. Upon request, members or  
5 prospective members of other ~~existing~~ review boards, students or  
6 researchers may ~~attend and observe,~~ but not participate in, board  
7 ~~hearings~~ meetings subject to ~~restrictions and~~ conditions imposed by  
8 the board. ~~Members~~ Further, members and ~~employees~~ staff of the  
9 State Postadjudication Review Advisory Board who are exercising  
10 their oversight responsibilities pursuant to ~~Section 1116.6 of this~~  
11 ~~title~~ state law may ~~attend and observe,~~ but not participate in,  
12 ~~board hearings~~ meetings. All parties shall maintain  
13 confidentiality, and the names of the children in placement shall  
14 not be published. Temporary ad hoc review boards may be created in  
15 counties in which there is no active review board. The Director of  
16 the Oklahoma Commission on Children and Youth may appoint active or  
17 alternate members of existing review boards to serve as members of  
18 local boards that are unable to meet quorum requirements and to  
19 temporarily constitute members of a new board where no current board  
20 exists. A member appointed to temporary service shall be fully  
21 qualified as provided by law, and such service shall terminate when  
22 the basis for the appointment is remedied or upon the order of the  
23 Director.

1 F. As a condition of ~~membership thereto~~ service, members and  
2 alternates of ~~the~~ a postadjudication review ~~boards~~ board shall  
3 attend the next available orientation program after appointment to  
4 the board. Failure to attend an orientation program, at the  
5 discretion of the Commission ~~on Children and Youth~~, may result in  
6 the removal of the board member. Members ~~of postadjudication review~~  
7 ~~boards shall attend the annual meeting or training programs or both~~  
8 ~~such meeting and training programs as are authorized and directed by~~  
9 ~~the Commission on Children and Youth~~ shall receive additional  
10 training as required by the Commission.

11 G. Members of postadjudication review boards shall serve  
12 without compensation, but shall be reimbursed for travel and  
13 training expenses from monies appropriated by the Legislature for  
14 such purposes, as provided by the State Travel Reimbursement Act.  
15 The Commission ~~on Children and Youth~~ shall provide members of  
16 postadjudication review boards with necessary operating supplies ~~and~~  
17 ~~postage fees~~ or members shall be reimbursed for these expenses.

18 H. The Commission on Children and Youth shall be responsible  
19 for developing procedures for the removal of a member from a  
20 postadjudication review board. The grounds for ~~the~~ removal ~~of a~~  
21 ~~postadjudication review board member~~ shall include but not be  
22 limited to:

23 1. Failure to attend board meetings as required by the  
24 Commission ~~on Children and Youth~~;



2. Engaging in illegal conduct involving moral turpitude;

3. Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation; or

4. Wrongful disclosure of information as provided by Section 1116.4 of this title.

I. Necessary staff assistance required by the postadjudication review boards may be provided by the bailiff or bailiffs, or other person designated by the court, of the judges with juvenile docket responsibility in the judicial district. Upon the request of the presiding judge, the Chief Justice of the Supreme Court may authorize additional staff to be paid from local court funds to assist the review board.

The Administrative Director of the Courts may include such additional funding requests in the annual budget for the courts as are necessary to provide staff and administrative support for the review boards.

SECTION 8. AMENDATORY 10 O.S. 2021, Section 1116.3, is amended to read as follows:

Section 1116.3. A. Postadjudication review boards shall function in an advisory capacity to the district court ~~and, in accordance with the provisions of subsection C of this section, the district planning and coordination boards for services to children and youth of the Oklahoma Commission on Children and Youth.~~

The duties of a review board shall be to:

1        1. Review the case of every adjudicated deprived child at least  
2 once every six (6) months and submit to the court within ten (10)  
3 days of any review hearing its findings and recommendations.

4            a. Such review shall include, but not be limited to,  
5 consideration and evaluation of:

6            (1) the appropriateness of the goals and objectives  
7 of the treatment and service plan,

8            (2) the appropriateness and timeliness of the goals  
9 and objectives of the permanency plan ~~and~~  
10 ~~permanency planning~~, and

11           (3) the appropriateness of the services provided to  
12 the child, and to the parent, stepparent, or  
13 other adult living in the home of the child, or  
14 legal guardian, or custodian.

15           b. Reviews of cases and reports to the court shall be  
16 scheduled to ensure that the court receives the  
17 findings and recommendations of the review board prior  
18 to each regularly scheduled six-month review of the  
19 case by the court;

20        2. Review the case of every child alleged to be deprived and  
21 held in an out-of-home placement six (6) months after removal and  
22 every six (6) months thereafter until adjudication occurs or the  
23 child is released from out-of-home placement and submit to the court  
24 within ten (10) days of any scheduled hearing its findings and

1 recommendations. Such review shall include, but not be limited to,  
2 consideration and evaluation of:

- 3 a. whether the continued out-of-home placement is in the  
4 best interests of the child ~~in light of the child's~~  
5 ~~need for permanency and recognizing that permanency is~~  
6 ~~in the best interests of the child,~~
- 7 b. the appropriateness of the ~~continued out-of-home~~  
8 placement, and
- 9 c. in the absence of a court-ordered treatment and  
10 service plan, the appropriateness of the services  
11 provided to the child and any family members or other  
12 adult living in the home of the child;

13 3. Review the case of every child adjudicated deprived pursuant  
14 to the laws of another state or territory, when the child is  
15 currently residing in Oklahoma and the Department of Human Services  
16 has been notified of the change of residence by the other state or  
17 territory and has agreed to provide services to the child pursuant  
18 to the Interstate Compact on the Placement of Children or other  
19 agreement concerning the child. The Department shall notify the  
20 proper review board of the location of the child and shall provide  
21 such review board with information received ~~by the Department~~ from  
22 the other state concerning the child ~~or placement along with~~ and any  
23 reports made by the Department concerning the child ~~or placement~~.  
24 The review board shall report its findings to the Department and may

1 report such findings to the agency or court in the state having  
2 jurisdiction for the custody of the child. The child and the  
3 custodian of the child may be ~~required to be~~ present at the review  
4 board's meeting regarding the child;

5 4. If approved by the court, review the case of any juvenile  
6 adjudicated delinquent or in need of supervision. Such review shall  
7 include, but not be limited to, consideration and evaluation of:

- 8 a. the appropriateness of the placement,
- 9 b. the appropriateness of the services provided to the  
10 child and any family members or other adult living in  
11 the home of the child, and
- 12 c. the appropriateness of the goals and objectives of the  
13 treatment and service plan; and

14 5. Forward copies of the findings and recommendations of the  
15 review board to the court having jurisdiction of the case, the  
16 parent, or legal guardian, attorney representing the child, ~~the~~  
17 ~~custodian of the child~~, agency supervising the case or legal  
18 custodian of the child and to any other ~~interested~~ party as  
19 determined by the court. It shall be the duty of the court clerk to  
20 ensure that all documents filed pertaining to the case of an  
21 adjudicated child are properly noted and affixed in the file of the  
22 child prior to the commencement of the review process by the review  
23 board. The bailiff or bailiffs of the judges having juvenile docket  
24 responsibility within the district shall transmit the information

1 necessary for the case reviews to the review board for that  
2 district.

3 B. The review board's report of its findings and  
4 recommendations shall be admitted into evidence in any dispositional  
5 hearing, and may be relied upon to the extent of its probative  
6 value, even though not competent for purposes of an adjudicatory  
7 hearing.

8 ~~C. In addition to its reviewing function, a review board, as~~  
9 ~~directed by the Oklahoma Commission on Children and Youth and in~~  
10 ~~coordination with the district planning and coordination boards~~  
11 ~~shall:~~

12 ~~1. Promote and encourage all child placement agencies to~~  
13 ~~maximize family stability and continuity for a child by discouraging~~  
14 ~~unnecessary changes in placement and by recruiting persons to~~  
15 ~~provide placement who may be suitable and willing to adopt;~~

16 ~~2. Review the efforts of agencies and institutions to find~~  
17 ~~permanent placement for eligible children and report to the court;~~

18 ~~3. Encourage a meeting between the various responsible public~~  
19 ~~and private agencies, institutions, and officers of the court in~~  
20 ~~order to facilitate cooperation and coordination of efforts; and~~

21 ~~4. Assess community resources, and develop, if not already~~  
22 ~~available, a directory of responsible persons, agencies, and~~  
23 ~~institutions.~~

24

1       ~~D.~~ A review board may solicit the attendance at its meetings of  
2 persons known to the board with information concerning the case of  
3 any child subject to its review. However, no employee of the Office  
4 of Juvenile Affairs shall be required to attend a review board  
5 meeting.

6       ~~E.~~ ~~A review board shall report annually its findings,~~  
7 ~~recommendations, and assessments of the effectiveness of sections of~~  
8 ~~law pertaining to individual treatment plans, information to~~  
9 ~~accompany deprived children placed outside the home, and~~  
10 ~~dispositional orders and Sections 1116.2 through 1116.6 of this~~  
11 ~~title to the Administrator of the Courts, the Supreme Court, to the~~  
12 ~~court having jurisdiction of the case, to the State Postadjudication~~  
13 ~~Review Advisory Board, and the Oklahoma Commission on Children and~~  
14 ~~Youth and provide such other reports as deemed proper or that may be~~  
15 ~~requested from time to time by the Oklahoma Commission on Children~~  
16 ~~and Youth, the Governor, the Legislature, or the Supreme Court.~~

17       ~~F.~~ D. It shall be the duty of the court having jurisdiction of  
18 the case to acknowledge the receipt of the recommendations of the  
19 review board ~~and note to the review board the actions of the court~~  
20 ~~regarding the recommendations submitted by the review board.~~

21       ~~G.~~ E. A review board member may attend any court hearing  
22 concerning the case of any child subject to review by the board.

23       SECTION 9.       AMENDATORY       10 O.S. 2021, Section 1116.6, is  
24 amended to read as follows:

1       Section 1116.6. A. There is hereby created a State  
2 Postadjudication Review Advisory Board which shall meet at least  
3 twice each calendar year. The Advisory Board shall have the duty of  
4 overseeing ~~the~~ implementation of the ~~state~~ postadjudication review  
5 program in coordination with the Oklahoma Commission on Children and  
6 Youth.

7       B. The Advisory Board shall consist of twenty-one (21) members  
8 appointed by the Governor as follows:

9       1. Eight of the members shall be members of the various review  
10 boards throughout the state;

11       2. Five of the members shall be judges of the district court;

12       3. Five of the members shall represent the general public and  
13 may be foster parents;

14       4. One of the members ~~appointed after the effective date of~~  
15 ~~this act~~ shall be a foster parent representing foster parents who  
16 have a current contract with the Department of Human Services to  
17 provide foster care services;

18       5. One of the members ~~appointed after the effective date of~~  
19 ~~this act~~ shall be a foster parent representing child-placing  
20 agencies which have current contracts with the Department to provide  
21 foster care services; and

22       6. One of the members ~~appointed after the effective date of~~  
23 ~~this act~~ shall be a foster parent nominated by any local or  
24 statewide foster parent association.

1       The members shall serve at the pleasure of the Governor. The  
2 administrative heads of the divisions which have foster care  
3 responsibilities within the Department of Human Services and the  
4 Office of Juvenile Affairs or their designees shall serve as ex  
5 officio members of the Board.

6       C. The Director of the Oklahoma Commission on Children and  
7 Youth shall ~~be the clerk of~~ make staff support available to the  
8 Advisory Board.

9       The Advisory Board shall have the duty to:

10       1. Assist in the training of the members of the review boards;

11       2. Serve, in coordination with the ~~Oklahoma Commission on~~  
12 ~~Children and Youth~~ Commission, as a clearinghouse for ~~reports and~~  
13 information concerning ~~the foster care review program and the review~~  
14 boards as they relate to the foster care system;

15       3. Make recommendations to the courts, the ~~Oklahoma Commission~~  
16 ~~on Children and Youth~~ Commission, the Governor, the Legislature, the  
17 Department of Human Services, the Office of Juvenile Affairs, and  
18 other state agencies providing services to children regarding  
19 proposed statutory revisions, and amendments to court rules and  
20 procedures, and review and make recommendations on permanency  
21 planning, foster care and child welfare service delivery policies,  
22 guidelines, and procedures;

23       4. Work with both public and private foster care and adoption  
24 agencies ~~concerned with foster care and adoption exchanges~~ to inform



1 the public of the need for temporary and permanent homes and other  
2 services ~~needed by~~ for deprived children; and

3 5. ~~Specifically:~~

4 a. ~~identify, analyze, and recommend solutions to any~~  
5 ~~issue concerning child welfare and foster care~~  
6 ~~services within the child welfare delivery system,~~

7 b. ~~participate in the statewide planning and promotion of~~  
8 ~~foster parent involvement in local planning for child~~  
9 ~~welfare services, and~~

10 c. ~~develop recommendations concerning foster care~~  
11 ~~training to improve the quality of foster care~~  
12 ~~services.~~

13 ~~D. The State Postadjudication Review Advisory Board may~~  
14 ~~designate multidisciplinary committees on the local level to act as~~  
15 ~~advocates for foster parents in order to assist in the resolution of~~  
16 ~~specific complaints concerning foster care and to help facilitate~~  
17 ~~the relationship between the Department of Human Services, the~~  
18 ~~Office of Juvenile Affairs, child placing agencies, and the foster~~  
19 ~~parents~~

20 Review and make recommendations specifically related to foster  
21 care and permanency planning and on any other aspect of the child  
22 welfare system it deems necessary.

23 ~~E. D. The Oklahoma Commission on Children and Youth Commission,~~  
24 with the assistance of the ~~State Postadjudication Review Advisory~~

Board, shall be responsible for developing and ~~administering~~  
~~training procedures and rules for the administration of the state~~  
~~postadjudication review board system~~ providing the necessary  
training for members of the postadjudication review boards.

~~F. E.~~ The ~~State Postadjudication Review~~ Advisory Board shall  
submit a report of the activities ~~of the review boards, including~~  
~~the,~~ findings and recommendations of ~~such~~ the review boards, to the  
~~Oklahoma Commission on Children and Youth~~ Commission on or before  
May 1 of each year.

~~G. F.~~ The ~~Oklahoma Commission on Children and Youth~~ Commission  
shall incorporate, as appropriate, the ~~findings~~ activities and  
recommendations of the review boards in the annual report required  
by Section ~~601.9~~ 601.5 of this title.

SECTION 10. AMENDATORY 10 O.S. 2021, Section 1150.2, is  
amended to read as follows:

Section 1150.2. A. There is hereby re-created until ~~July 1,~~  
~~2023~~ July 1, 2028, in accordance with the Oklahoma Sunset Law, the  
Child Death Review Board within the Oklahoma Commission on Children  
and Youth. The Board shall have the power and duty to:

1. Conduct case reviews of deaths and near deaths of children  
in this state;

2. Develop accurate statistical information and identification  
of deaths of children due to abuse and neglect;

1        3. Improve the ability to provide protective services to the  
2 surviving siblings of a child or children who die of abuse or  
3 neglect and who may be living in a dangerous environment;

4        4. Improve policies, procedures and practices within the  
5 agencies that serve children, including the child protection system;

6        5. Enter into agreements with ~~local~~ regional teams established  
7 by the ~~Child Death Review~~ Board to carry out such duties and  
8 responsibilities as the ~~Child Death Review~~ Board shall designate,  
9 including ~~reviewing~~ assigned cases ~~assigned by the Board~~ in the  
10 geographical area for that ~~local~~ regional team. The ~~Oklahoma~~  
11 ~~Commission on Children and Youth~~ Commission, with the advice of the  
12 ~~Child Death Review~~ Board, shall promulgate rules as necessary for  
13 the implementation ~~and administration~~ of the provisions of this  
14 paragraph; and

15        6. Enter into agreements with other state, local, or private  
16 entities as necessary to carry out the duties of the ~~Child Death~~  
17 ~~Review~~ Board including, but not limited to, conducting joint reviews  
18 with the Domestic Violence Fatality Review Board on domestic  
19 violence cases involving child death or child near-death incidents.

20        B. In carrying out its duties and responsibilities the Board  
21 shall:

22        1. Establish criteria for cases involving the death or near  
23 death of a child subject to specific, in-depth review by the Board.  
24 As used in this section, the term "near death" means a child is in

1 serious or critical condition, as certified by a physician, as a  
2 result of abuse or neglect;

3 2. Conduct a specific case review of those cases where the  
4 cause of death or near death is or may be related to abuse or  
5 neglect of a child;

6 3. Establish and maintain statistical information related to  
7 the deaths and near deaths of children including, but not limited  
8 to, demographic and medical diagnostic information;

9 4. Establish procedures for obtaining initial information  
10 regarding near deaths of children from the Department of Human  
11 Services and law enforcement agencies;

12 5. Review the policies, ~~practices,~~ and procedures of the child  
13 protection system and make specific recommendations to the entities  
14 comprising the ~~child protection~~ system ~~for~~ as to actions necessary  
15 for ~~the improvement of the system;~~

16 6. Review the extent to which the state child protection system  
17 is coordinated with foster care and adoption programs and evaluate  
18 whether the state is efficiently discharging its child protection  
19 responsibilities under the federal Child Abuse Prevention and  
20 Treatment Act ~~state plan~~ State Plan;

21 7. As necessary and appropriate, for the protection of the  
22 siblings of a child who dies and whose siblings are deemed to be  
23 living in a dangerous environment, refer specific cases to the  
24

1 Department of Human Services or the appropriate district attorney  
2 for further investigation;

3 8. Request and obtain a copy of all records and reports  
4 pertaining to a child whose case is under review including, but not  
5 limited to:

- 6 a. the report of the medical examiner,
- 7 b. hospital records,
- 8 c. school records,
- 9 d. court records,
- 10 e. prosecutorial records,
- 11 f. local, state, and federal law enforcement records  
12 including, but not limited to, the Oklahoma State  
13 Bureau of Investigation (OSBI),
- 14 g. fire department records,
- 15 h. State Department of Health records, including birth  
16 certificate records,
- 17 i. medical and dental records,
- 18 j. Department of Mental Health and Substance Abuse  
19 Services and other mental health records,
- 20 k. emergency medical service records,
- 21 l. files of the Department of Human Services, and
- 22 m. records in the possession of the Domestic Violence  
23 Fatality Review Board when conducting a joint review  
24

1           pursuant to paragraph 6 of subsection A of this  
2           section.

3           Confidential information provided to the Board shall be  
4 maintained ~~by the Board~~ in a confidential manner as ~~otherwise~~  
5 required by state and federal law. Any person damaged by disclosure  
6 of such ~~confidential~~ information by the Board, its ~~local boards~~  
7 regional teams or their members, not authorized by law, may maintain  
8 an action for damages, costs and attorney fees;

9           9. Maintain all confidential information, documents and records  
10 in possession of the Board as confidential and not subject to  
11 subpoena or discovery in any civil or criminal proceedings;  
12 provided, however, information, documents and records otherwise  
13 available from other sources shall not be exempt from subpoena or  
14 discovery through those sources solely because such information,  
15 documents and records were presented to or reviewed by the Board;

16           10. Conduct reviews of specific cases of deaths and near deaths  
17 of children and request the preparation of additional information  
18 and reports as determined to be necessary by the Board including,  
19 but not limited to, clinical summaries from treating physicians,  
20 chronologies of contact, and second-opinion autopsies;

21           11. Report, if recommended by a majority vote of the Board, to  
22 the President Pro Tempore of the Senate and the Speaker of the House  
23 of Representatives any gross neglect of duty by any state officer or  
24

1 state employee, or any problem within the child protective services  
2 system discovered by the Board while performing its duties;

3 12. Recommend, when appropriate, amendment of the cause or  
4 manner of death listed on the death certificate; and

5 13. Subject to the approval of the ~~Oklahoma Commission on~~  
6 ~~Children and Youth~~ Commission, exercise all incidental powers  
7 necessary and proper for the implementation and administration of  
8 the Child Death Review Board Act.

9 C. The review and discussion of individual cases of death or  
10 near death of a child shall be conducted in executive session and in  
11 compliance with the confidentiality requirements of Section 1-6-102  
12 of Title 10A of the Oklahoma Statutes. All other business shall be  
13 conducted in accordance with the provisions of the Oklahoma Open  
14 Meeting Act. All discussions of individual cases and any writings  
15 produced by or created for the Board ~~in the course of its remedial~~  
16 ~~measure~~ and recommended by the Board, as the result of a review of  
17 an individual case of the death or near death of a child, shall be  
18 privileged and shall not be admissible in evidence in any  
19 proceeding. The Board shall periodically conduct meetings to  
20 discuss organization and business matters and any actions or  
21 recommendations aimed at improvement of the child protection system  
22 which shall be subject to the Oklahoma Open Meeting Act. Part of  
23 any meeting of the Board may be specifically designated as a  
24

1 business meeting of the Board subject to the Oklahoma Open Meeting  
2 Act.

3 D. 1. The Board shall submit an annual statistical report on  
4 the incidence and causes of death and near death of children in this  
5 state for which the Board has completed its review during the past  
6 calendar year, including its recommendations, to the Oklahoma  
7 Commission on Children and Youth on or before May 1 of each year.  
8 The Board shall also prepare and make available to the public, on an  
9 annual basis, a report containing a summary of the activities of the  
10 Board relating to the review of deaths and near deaths of children,  
11 the extent to which the state child protection system is coordinated  
12 with foster care and adoption programs, and an evaluation of whether  
13 the state is efficiently discharging its child protection  
14 responsibilities. The report shall be completed no later than  
15 December 31 of each year.

16 2. The ~~Oklahoma Commission on Children and Youth~~ Commission  
17 shall review the report of the Board and, as appropriate,  
18 incorporate the findings and recommendations into ~~the annual~~  
19 ~~Commission report and~~ the State Plan for Services to Children and  
20 Youth.

21 SECTION 11. AMENDATORY 10A O.S. 2021, Section 2-10-102,  
22 is amended to read as follows:

23 Section 2-10-102. 1. The Oklahoma Commission on Children and  
24 Youth shall issue a request for proposals on or before ~~July 1, 2012~~



1 July 1, 2023, and each July 1 of every third year thereafter for  
2 which the Oklahoma Mentoring Children of Incarcerated Parents  
3 Program is funded, seeking applications to administer the Oklahoma  
4 Mentoring Children of Incarcerated Parents Program.

5 2. The ~~Department of Central Services~~ Office of Management and  
6 Enterprise Services shall work in conjunction with the Commission to  
7 coordinate a competitive bid process.

8 3. The Commission, in coordination with the ~~Department of~~  
9 ~~Central Services~~ Office of Management and Enterprise Services, shall  
10 review the applications for compliance with the established  
11 requirements.

12 4. Entities eligible to submit applications to administer the  
13 Oklahoma Mentoring Children of Incarcerated Parents Program shall be  
14 limited to nonprofit organizations or programs which are exempt from  
15 taxation pursuant to the provisions of Section 501 (c) (3) of the  
16 Internal Revenue Code, 26 U.S.C., Section 501 (c) (3) and which  
17 otherwise meet the requirements set forth in paragraph 5 of this  
18 section.

19 5. The Commission may approve an application that meets the  
20 requirements set forth in this subsection and as established by the  
21 Commission. The approved applicant shall provide one-to-one  
22 mentoring services to children of incarcerated parents who are in  
23 the custody of the Office of Juvenile Affairs and currently placed  
24 outside the home, or have been identified by the Office of Juvenile

1 Affairs as at risk of becoming involved in the juvenile justice  
2 system. The selected applicant shall:

- 3 a. currently serve youth ages 6-18,
- 4 b. have a statewide presence,
- 5 c. currently provide one-to-one mentoring to children of  
6 incarcerated parents,
- 7 d. have served children of incarcerated parents for five  
8 (5) years or more,
- 9 e. have rigorous volunteer application and screening  
10 processes,
- 11 f. have child safety policies and procedures,
- 12 g. measure performance outcomes via multiple tools,
- 13 h. have five (5) years or more of performance outcome  
14 data,
- 15 i. provide ongoing safety training and diversity training  
16 for program staff,
- 17 j. have an established working relationship with the  
18 Office of Juvenile Affairs,
- 19 k. set match-retention-rate goals,
- 20 l. have experience working with high-risk populations,  
21 and
- 22 m. deliver contracted services at a cost no greater than  
23 One Thousand Five Hundred Dollars (\$1,500.00) per  
24 mentor-mentee match.

1        6. On or before July 1, 2012, and each July 1 thereafter for  
2 which the Oklahoma Mentoring Children of Incarcerated Parents  
3 Program is funded, the Office of Juvenile Affairs ~~shall~~ may forward  
4 applications that the Office of Juvenile Affairs has determined meet  
5 the requirements of this section to the Commission. On or before  
6 November 1, 2012, and each November thereafter for which the  
7 Oklahoma Mentoring Children of Incarcerated Parents Program is  
8 funded, the Commission shall award, through a competitive bid  
9 process, one grant to one applicant to provide one-to-one mentoring  
10 services to children of incarcerated parents who either are in the  
11 custody of the Office of Juvenile Affairs and currently placed  
12 outside the home or have been identified by the Office of Juvenile  
13 Affairs as at risk of becoming involved in the juvenile justice  
14 system.

15        7. In addition to the grant funding, the Commission shall be  
16 authorized to provide other appropriate assistance to the selected  
17 applicant.

18        8. The Commission shall be authorized to promulgate rules and  
19 establish procedures necessary to implement the provisions of this  
20 act.

21        9. The ~~Department of Central Services~~ Office of Management and  
22 Enterprise Services shall work ~~in conjunction~~ with the Commission to  
23 implement the provisions of this act.

SECTION 12. REPEALER 10 O.S. 2021, Sections 601.9, 601.11, and 601.12, are hereby repealed.

SECTION 13. It being immediately necessary for the preservation of the public peace, health or 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.

Passed the Senate the 22nd day of February, 2023.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2023.

Presiding Officer of the House  
of Representatives