

TEXAS EDUCATION CODE

CHAPTER 19. SCHOOLS IN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Sec. 19.001. DEFINITIONS.

In this chapter:

- (1) "Board" means the Texas Board of Criminal Justice.
- (2) "Department" means the Texas Department of Criminal Justice.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 19.002. ESTABLISHMENT.

The school district established by the Texas Board of Corrections in 1969 shall be known as the Windham School District, an entity that is separate and distinct from the Texas Department of Criminal Justice. The district may establish and operate schools at the various facilities of the Texas Department of Criminal Justice.

Added by Acts 1995, 74th Leg., ch. 260, Sec.1, eff. May 30, 1995.

Sec. 19.0021. SPECIAL PURPOSE REVIEW.

Text of section effective until September 1, 2005

- (a) As part of its review of the Texas Education Agency for the 79th Legislature, the Sunset Advisory Commission shall conduct a special purpose review of the Windham School District.
- (b) To assist the Sunset Advisory Commission in its review, the Texas Education Agency shall:
 - (1) conduct a limited scope review of the structure, management, and operations of the Windham School District; and
 - (2) report the results of the review to the commission before March 1, 2004.
- (c) The Texas Education Agency shall consult the Sunset Advisory Commission regarding the scope of the review to minimize the cost of the review.
- (d) After considering the report of the Texas Education Agency, the Sunset Advisory Commission shall include in the commission's report to the 79th Legislature, Regular

Session, 2005, any recommendations relating to the Windham School District that the commission considers appropriate.

- (e) This section expires September 1, 2005.

Added by Acts 2003, 78th Leg., ch. 1112, Sec. 1.02, eff. Sept. 1, 2003.

Sec. 19.003. GOALS OF THE DISTRICT.

The goals of the district in educating its students are to:

- (1) reduce recidivism;
- (2) reduce the cost of confinement or imprisonment;
- (3) increase the success of former inmates in obtaining and maintaining employment; and
- (4) provide an incentive to inmates to behave in positive ways during confinement or imprisonment.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 19.004. GOVERNANCE, LIMITATION ON POWERS, AND DUTIES.

- (a) The district shall be governed as provided by this chapter and policies established by the board. Unless otherwise specifically provided, a provision of this code applying to school districts does not apply to the district.
- (b) The district may not impose a tax.
- (c) The district shall:
 - (1) develop educational programs specifically designed for persons eligible under Section 19.005 and ensure that those programs, such as GED and ESL, are integrated with an applied vocational context leading to employment;
 - (1-a) develop vocational training programs specifically designed for persons eligible under Section 19.005 and prioritize the programs that result in certification or licensure, considering the impact that a previous felony conviction has on the ability to secure certification, licensure, and employment; and
 - (2) coordinate educational programs and services in the department with those provided by other state agencies, by political subdivisions, and by persons who provide programs and services under contract.

Added by Acts 2005, 79th Leg. eff. September 1, 2005. HB 2837.

1.00
(12-05-05)

Sec. 19.0041. EVALUATION OF TRAINING SERVICES.

- (a) To evaluate the effectiveness of training services provided to persons confined or imprisoned in the department, the Windham School District shall consult with the Legislative Budget Board to compile and analyze information for each person who receives the training services. This information shall include an evaluation of:
1. the kind of training services provided;
 2. the kind of employment the person obtains on release;
 3. whether the employment was related to training;
 4. the difference between the amount of the person's earnings on the date employment is obtained following release and the amount of those earnings on the first anniversary of that date; and
 5. the retention factors associated with the employment.
- (b) The Legislative Budget Board shall submit an annual report to the legislature and the governor's office based on data compiled and analyzed under Subsection (a).

Added by Acts 2005, 79th Leg., eff. September 1, 2005. H.B. 2837

Sec. 19.005. ELIGIBILITY FOR CERTAIN PROGRAMS AND SERVICES.

- (a) Any person confined or imprisoned in the department who is not a high school graduate is eligible for programs or services under this chapter paid for with money from the foundation school fund. To the extent space is available, the district may also offer programs or services under this chapter paid with money from the foundation school fund to persons confined or imprisoned in the department who are high school graduates.
- (b) Eligibility under this chapter does not make a person eligible for a program or service under any other chapter.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1999, 76th Leg., ch. 1188, Sec. 1.51, eff. Sept. 1, 1999.

Sec. 19.006. GRANTS AND FEDERAL FUNDS.

- (a) The district may accept a grant from a public or private organization and may spend those funds to operate district programs and provide district services.
- (b) The district may accept federal funds and shall use those funds in compliance with applicable federal law, regulations, and guidelines.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 19.007. COSTS TO BE BORNE BY STATE.

- (a) Except as authorized by Section 19.006 and this section, the state shall pay the cost of operating the district.
- (b) The costs for persons eligible under Section 19.005 shall be paid from the foundation school fund.
- (c) In addition to money from the foundation school fund, the district may receive appropriated money from the department for educational programs.
- (d) The operating costs of the district may not be charged to another school district.
- (e) The district may participate in the textbook program under Chapter 31.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1997, 75th Leg., ch. 1071, Sec. 2, eff. Sept. 1, 1997.

Sec. 19.008. ALLOCATION OF COSTS.

- (a) The commissioner shall allocate funds to the district from the foundation school fund based on an amount, established in the General Appropriations Act, for each contact hour between a teacher and a person eligible under Section 19.005, including associated administrative costs, for the best 180 of 210 school days in each year of the state fiscal biennium. Those funds may be spent only for district administrative costs related to education and for district educational programs and services and only with the approval of the board.
- (b) The agency by rule shall establish a time and manner for the district to report and verify contact hours to the agency.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

1.00
(12-05-05)

Sec. 19.009. DISTRICT EMPLOYEES.

- (a) District employees are not considered employees of the state except as provided for in this section. The board may establish personnel policies as necessary to ensure the effective and efficient operation of the district.
- (b) Each employee of the district shall serve 220 or 226 days each year, based on position, as determined by the board.
- (c) A district employee required under Subchapter B, Chapter 21, to hold a certificate must be certified in accordance with that subchapter.
- (d) Each employee shall be paid according to a salary schedule approved by the board. The schedule may allow for salary differentiation that provides for salaries at a Windham School District school site to be commensurate with educator salaries in school districts contiguous to that school site.
- (e) Each employee of the district who qualifies for membership in the Teacher Retirement System of Texas shall be covered under the system to the same extent a qualified employee of any other district is covered.
- (f) The state minimum personal leave program under Section 22.003 applies to a district employee in the same manner as that program applies to an employee of any other school district.
- (g) The employees of the district are eligible for workers' compensation benefits under Chapter 501, Labor Code, and for group benefits under Chapter 1551, Insurance Code.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2003, 78th Leg., ch. 1276, Sec. 10A.510, eff. Sept. 1, 2003.

Sec. 19.010. STRATEGIC PLAN AND ANNUAL REPORT.

- (a) The district shall propose, and the board shall adopt with any modification the board finds necessary, a strategic plan that includes:
 - (1) a mission statement relating to the goals and duties of the district under this chapter;
 - (2) goals to be met by the district in carrying out the mission stated; and
 - (3) specific educational, vocational training, and counseling programs to be

1.00
(12-05-05)

conducted by the district to meet the goals stated in the plan.

(b) The district shall prepare a report for each fiscal year documenting district activities under the strategic plan. Not later than January 31 of each year, the district shall file the report for the preceding fiscal year with the board, the governor, the lieutenant governor, the speaker of the house of representatives, and the agency.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Sec. 19.011. COORDINATION WITH OTHER STATE AGENCIES.

(a) In order to achieve the goal stated in Section 19.003, the district with the cooperation of the Health and Human Services Commission, the Texas Workforce Investment Council, the Texas Workforce Commission, the Texas Economic Development and Tourism Office, and the department shall provide persons confined or imprisoned in the department:

- (1) information from local workforce and development boards on job training and employment referral services; and
- (2) information on the tax refund voucher program under Subchapter H, Chapter 301, Labor Code.

(b) The district shall coordinate vocational education and job training programs with a local workforce development board authorized by the Texas Workforce Commission to ensure that district students are equipped with the skills necessary to compete for current and emerging jobs.

Added by Acts 2005, 79th Leg., eff. September 1, 2005. H.B. 2837.