



**WINDHAM SCHOOL
DISTRICT**

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WINDHAM BOARD POLICY

SUBJECT: STUDENT ELIGIBILITY FOR WINDHAM SCHOOL DISTRICT PROGRAMS

AUTHORITY: Texas Education Code §§ 19.001-.011;34 C.F.R. § 104; *The Rehabilitation Act of 1973*, 29 U.S.C. § 794; Title VI of the *Civil Rights Act*, 42 U.S.C. § 1971; Title IX of the *Education Amendments of 1972*, 20 U.S.C. §§ 1681-1688; *Texas General Appropriations Act*, 81st Leg. R.S., Art. III, Rider 6

Reference: American Correctional Association Standards 4-4464 - 4-4467, 4-4474 - 4-4475, 4-4478; TDCJ Administrative Directive (AD)-07.02, "Offender Participation in Educational Programs and Services"

APPLICABILITY: Windham School District (WSD)

POLICY:

The WSD shall use appropriated funds to serve offenders whose participation in WSD educational programs will help achieve the goals of reducing recidivism and increasing success of former offenders in obtaining and maintaining employment. To achieve these goals, younger offenders with the lowest educational levels and the earliest projected release or parole eligibility dates shall receive highest priority. Admission to WSD educational programs is based on eligibility for WSD programs, educational achievement level, aptitude and interest, and available class space. This policy shall not preclude the WSD from serving other populations according to needs and resources.

The WSD provides free, appropriate education to all students. An appropriate education includes regular or special education and related services designed to meet the individual educational needs of students. These services are based on adherence to procedures that satisfy federal requirements for educational setting, evaluation, placement, and procedural safeguards.

The WSD shall not discriminate on the basis of race, religion, color, national origin, gender, or disability in its educational programs, services, or activities. No qualified disabled student shall, on

the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in conjunction with any WSD program. The WSD shall ensure that a lack of English language skills shall not be a barrier to admission or participation in all educational and vocational programs.

The principal on each campus shall coordinate efforts to comply with Section 504 of the *Rehabilitation Act of 1973* and its implementing regulations.

DEFINITIONS:

“Disabled Student” is one who has, or who has a record of having, or who is regarded as having a physical or mental impairment that substantially limits one or more major life activities, such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

“Individualized Treatment Plan” (ITP) is a plan of treatment for an individual offender. The plan prioritizes an offender's participation in recommended programs. ITP codes delineate priorities by age and length of time to projected release date.

PROCEDURES:

I. Program Description

The WSD provides a variety of academic classes as well as Career and Technical Education (CTE) courses to offenders incarcerated in the Texas Department of Criminal Justice (TDCJ).

The WSD programs are designed to meet the unique needs of adult offenders and address the legislatively mandated goals of reducing recidivism, reducing the cost of confinement, promoting positive behavior during confinement, and increasing offenders’ success in obtaining employment upon release. An integrated academic and CTE program provides instruction in the skills and workplace competencies identified by the Secretary’s Commission on Achieving Necessary Skills (SCANS). An interdisciplinary approach is used to address multiple learning styles and learning in real-world contexts. Emphasis is placed on the skills employers demand, such as personal qualities, cultural sensitivity and tolerance, teamwork, decision-making, and problem solving.

II. Student Eligibility for Programs

Prison offenders classified as G1, G2, or G3 and state jail offenders classified as J1 or J2 shall be eligible for participation in academic programs according to the ITP process and the eligibility requirements of specific programs. Offenders classified as G4 or J4 may be considered on a case-by-case basis with the warden’s approval. Offenders with a history of disciplinary violations for sexual misconduct shall generally not be allowed to participate in academic programming for security reasons. See TDCJ AD-07.02, “Offender Participation in Education Programs and Services.”

The ITP shall guide all placement decisions, and WSD services shall be provided as a result of an identified need. Services are not an entitlement for offenders. The WSD Offender Programs (Attachment A) illustrates the programs offenders may be eligible for if certain conditions are met. Offenders who have not yet earned a General Educational Development (GED) certificate shall have higher priority than those who have a GED or high school diploma (HSD) when selecting students for all programs, except the Perspectives and Solutions program.

A. Literacy

Offenders without a GED certificate or HSD are required to attend literacy programs if prescribed by their ITP.

B. Special Education

Special Education services are provided for eligible offenders in accordance with State Board of Education and Commissioner's Rules for Special Education Services.

C. English as a Second Language (ESL)

ESL services, where available, shall be provided for eligible offenders with limited or nonexistent English speaking, reading, and writing abilities.

D. Title I

Title I programs are remedial programs for offenders who are less than 21 years of age. These programs require concurrent enrollment in a regular program of instruction.

E. *LifeMatters*

LifeMatters is a life skills program for offenders who are more than 24 months from their projected release date.

F. Cognitive Intervention

Cognitive Intervention services (where available) are provided through referrals due to a history of attitude, behavioral, or institutional adjustment problems. Volunteer students may be accepted.

G. Changing Habits and Achieving New Goals to Empower Success (CHANGES)

CHANGES is a pre-release program required for offenders who are within 24 months of release as prescribed by their ITP.

H. Parenting

WSD offers a 30-day parenting program at selected units, with priority given to offenders nearing release who have children.

I. Perspectives and Solutions

Perspectives and Solutions is a cultural tolerance and problem solving program for offenders at intake units.

J. Career and Technical Education

CTE includes regular vocational programs, Diversified Career Preparation (DCP), Apprenticeship, On-the-Job Training (OJT), and short courses. Not all programs are available at all units. Participation in CTE courses shall be based on the offender's training during prior and current incarcerations, and the length of time until an offender's projected release date. Offenders with more than five years to their projected release date may take one regular CTE course to address the TDCJ's need for qualified workers. Within five years of projected release, additional training may be appropriate to further an offender's career opportunities. Up to two additional courses, which are linked to a specific labor demand, may be taken within five years of release.

Because course content rapidly becomes outdated, Business Computer Information Systems (BCIS), Computer Maintenance Technician, and Computer Aided-Drafting shall be offered primarily to offenders who are within five years of release.

1. Offenders shall meet additional criteria to be considered for regular CTE and short courses.
 - a. For all courses, students shall exhibit an interest in the specific course as identified through an interest inventory. The interest inventory shall be waived for short courses, BCIS-I, DCP, Personal and Family Development classes, Apprenticeship, and OJT.
 - b. Students shall have potential for success by demonstrating Educational Achievement (EA) scores in accordance with the recommended levels established by the CTE department. These scores shall be waived for special education students upon recommendation of the Admission, Review, and Dismissal committee.
 - c. Students shall have potential for success by demonstrating physical abilities in accordance with the recommended physical demands of

the workforce as established by the CTE department.

- d. Students must meet minimum requirements as established by TDCJ AD-07.02, "Offender Participation in Education Programs and Services."
 - e. Students shall be concurrently enrolled in Project Re-Integration of Offenders (Project RIO). This requirement is waived for offenders who do not qualify for Project RIO.
 - f. With the exception of DCP, Apprenticeship, OJT, and short courses, students who do not have a GED certificate or workplace skills are required to be concurrently enrolled in WSD academic programs, if they are eligible and their school schedule allows.
 - g. In addition to other established criteria, students considered for WSD short courses shall meet one of the following:
 - (1) Be within two years of release;
 - (2) Will improve work skills for current job assignment; or
 - (3) Will be placed in a related TDCJ job immediately upon completion of the short course.
 - h. Students enrolled in a short course may not be concurrently enrolled in a regular CTE course or apprenticeship program.
 - i. Prior to or shortly after enrollment in DCP, offenders shall have a TDCJ job assignment that is in a cooperative area approved by the Texas Education Agency (TEA).
2. A comprehensive evaluation shall be conducted for all students prior to placement in the CTE courses or for those who are within five years of projected release as prioritized by the ITP process. A comprehensive evaluation shall include a face-to-face interview, the use of an approved interest inventory, and the completion of the Vocational Class Placement form. Program recommendations resulting from the assessment process shall be recorded in the appropriate database for offenders within five years of projected release.

Specific offender eligibility criteria for the apprenticeship and OJT management programs are delineated in OP-08.02, "Career and Technical Education (CTE)."

III. Individualized Treatment Plan Priorities

Offenders shall be enrolled in academic and vocational programs based on ITP priority codes. The following codes reflect highest to lowest priority with respect to enrollment in WSD programs:

A. Academic

3	Less than age 22
2	Age 22 to 34
1	Age 35 to 59
E	Age 60 or older, or Offenders with Immigration and Customs Enforcement (ICE) detainees
0	No need, Currently enrolled, or Ineligible due to the TDCJ and WSD policy or procedures

B. Vocational

3	No prior vocational trade
2	One prior vocational trade
1	Two or more prior vocational trades
E	Age 60 or older, or Offenders with ICE detainees
0	No need, Offender has 0 level of need, or Classified administrative segregation or G5 or J5

Students within the same ITP tier who do not have previous vocational training shall receive higher priority than others when considered for vocational enrollment.

C. Students within the same ITP tier who do not have a GED certificate shall receive higher priority than those who have a GED certificate or HSD, except for the Perspectives and Solutions program.

IV. Immigration and Customs Enforcement Detainers

A. English as a Second Language

Offenders with ICE detainees may be enrolled in ESL classes if their projected release dates are more than one year away.

B. For other programs, offenders with ICE detainees may be considered for enrollment on a case-by-case basis. Requests to enroll in programs other than ESL may be submitted (with appropriate justification) to the Division of Operational Support.

C. Apprenticeship Program

Offenders with ICE detainees may be enrolled in the apprenticeship program, if requested by the TDCJ.

* Signature on file

Oliver J. Bell, Chairman

Windham School District Board of Trustees

WSD Offender Programs

Offender Level of Education	Literacy ⁶	Special Ed	ESL ⁴	Title I	LifeMatters	Cognitive Intervention	CHANGES	Parenting	CTE ¹	Short Courses ²	Apprenticeship & OJT
No GED/HSD	X	X	X	X	X	X	X	X	X	X	X
HSD/GED with no claimed/verified college (or ≤ 12 college hours) and does not meet EA THEA eligibility requirements	X	X ⁵			X	X	X	X	X	X	X
HSD/GED with no claimed/verified college and meets EA THEA eligibility requirements					X	X	X	X	X	X	X
HSD/GED with less than or equal to 30 claimed/verified college hours ¹					X	X	X	X	X	X	X
HSD/GED with more than 30 claimed/verified college hours ¹						X	X	X			X
HSD/GED with participation/completion in one or more college vocational courses inside TDCJ ³					X	X	X	X	X	X	X
No GED/HSD with less than or equal to 30 claimed/verified college hours ¹					X	X	X	X	X	X	X
No GED/HSD with more than 30 claimed/verified college hours ¹						X	X	X			X
No GED/HSD with participation/completion in one or more college vocational courses inside TDCJ ³					X	X	X	X	X	X	X

- 1 College participation/completion in non-credit courses or 10 days or less of enrollment in college programs is not considered for eligibility purposes.
- 2 Policies regarding college participation may be waived for short courses at the discretion of the superintendent.
- 3 Offenders with previous college vocational enrollment hours may be enrolled in literacy classes on a voluntary basis if they do not meet Texas Higher Education Assessment (THEA) eligibility requirements.
- 4 Offenders, who have earned a GED in a language other than English, shall be eligible for ESL if they meet the qualifications for the program.
- 5 Applies to offenders who receive Special Education services for the blind or deaf or who received a HSD by IEP (if Special Education Services are needed).
- 6 Applies to offenders who earned college hours preceding implementation of THEA, but who are now affected by college entrance requirements.