



WINDHAM SCHOOL  
DISTRICT

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**SUPERSEDES:** OP-08.01  
August 23, 2006

# OPERATING PROCEDURES

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**SUBJECT:** STUDENT ELIGIBILITY FOR WINDHAM SCHOOL DISTRICT PROGRAMS

**AUTHORITY:** Texas Education Code, Chapter 19; WBP-08.01

Reference: TDCJ Administrative Directive (AD)-07.02, "Offender Participation in Educational Programs and Services"

**APPLICABILITY:** Windham School District (WSD)

## **POLICY:**

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

It is the policy of the WSD not to discriminate on the basis of race, color, national origin, sex or disability in its educational programs, services or activities. The WSD shall take steps to assure that a lack of English language skills will not be a barrier to admission and participation in all educational and vocational programs. The principal on each campus is designated to coordinate efforts to comply with Section 504 of the Rehabilitation Act of 1973.

WSD services are provided as a result of an identified need. Educational services are not an entitlement. Admission to WSD educational programs is based on eligibility for WSD programs, educational achievement level, aptitude and interest, and available class space.

## **DEFINITIONS:**

"Evidence-Based" practice refers to the use of research and scientific studies as a base for determining the best practices in education.

“Individualized Treatment Plan” (ITP) is a plan established for each individual offender to guide staff in the placement of offenders in treatment programs. Offenders shall be enrolled in academic and vocational programs based on ITP priority codes.

**PROCEDURES:**

I. Program Enrollment

A. Literacy

1. Offenders without a General Educational Development (GED) certificate or high school diploma (HSD) are required to attend literacy programs if prescribed by their ITP.

Principals may require offenders with unverified GED/HSD claims to attend literacy programs.

2. Offenders required to take literacy programming shall be enrolled in such programs for a minimum of three hours per day.
3. Under certain circumstances and if space permits (no waiting list), students may attend more than one literacy class. However, this recommendation shall be based on individual needs and on a voluntary basis only.
4. With the exception of Title I, students shall not be required to attend six hours of literacy per day.
5. Students enrolled in a literacy course may not be concurrently enrolled in a college credit academic course.
6. In addition to literacy classes, students may be concurrently enrolled for three hours per day in other classes such as Cognitive Intervention, Changing Habits and Achieving New Goals to Empower Success (CHANGES), Perspectives and Solutions, or Parenting. Students shall not be required to attend a combination of these classes and literacy classes more than six hours per day.
7. If necessary, students within 24 months of release may volunteer to take Cognitive Intervention or Parenting at the same time they are enrolled in literacy and CHANGES. However, students shall only be scheduled in class for nine hours per day if they would otherwise not have time to complete the course(s) if taken one at a time in addition to their literacy class.
8. Special testing situations, such as GED testing, may require additional hours of participation.

9. No student shall be enrolled in any combination of classes for more than nine hours.

10. Refer to SD-08.03, "Literacy Program" for additional information.

B. Literacy I--Reading

1. Literacy I--Reading students shall not be concurrently enrolled in other literacy classes, English as a Second Language (ESL) or Special Education.

2. Refer to OP-08.13, "Literacy I--Reading" for additional information.

C. ESL

1. Students shall not be concurrently enrolled in regular literacy classes, including Literacy I--Reading.

2. Refer to OP-08.10, English as a Second Language (ESL) Program for additional information.

D. Title I

1. Students shall be less than 21 years of age at the time of enrollment in a Title I program.

2. Students shall be concurrently enrolled in a regular program of instruction (e.g., Literacy, Career and Technical Education [CTE], CHANGES, Cognitive Intervention, or Parenting).

3. Students shall be withdrawn from the Title I program on or before their 22nd birthday or immediately after passing the GED, regardless of their age.

4. Refer to SD-08.05, "Title I, Part D, Subpart 1--Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or at Risk--State Agency Programs" for additional information.

E. CHANGES

1. Students shall not be enrolled in two CHANGES classes per day.

2. Students shall not be concurrently enrolled in *LifeMatters*.

3. Refer to OP-08.16, "Changing Habits and Achieving New Goals to Empower Success (CHANGES) Program" for additional information.

F. *LifeMatters*

1. Students shall not be concurrently enrolled in CHANGES.
2. Refer to OP-08.24, " *LifeMatters* Program" for additional information.

G. Cognitive Intervention

1. Students shall not be enrolled in two Cognitive Intervention classes per day.
2. Refer to OP-08.14, "Cognitive Intervention Program" for additional information.

H. Special Education

1. Students shall be considered on an individual basis.
2. While it may be appropriate for some students to be concurrently enrolled in a literacy class (other than Literacy I--Reading), it is not appropriate for every student. It may be more appropriate to divide one three-hour block between a Special Education class and a literacy class.
3. Refer to the Windham School District Operational Guidelines for Special Education §504/ADA manual for additional information.

I. Parenting

Refer to OP-08.02, "Parenting Program."

J. Perspectives and Solutions

Refer to OP-08.23, "Perspectives and Solutions."

K. Career and Technical Education

1. Offenders with more than five years to projected release date may take one regular CTE course to address the agency'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 regular courses, which are linked to a specific labor demand, may be taken within five years of release.
2. Individual offender characteristics such as realistic occupational goals, job market demand in area of parole and motivation to acquire employment shall support the decision to access additional training.
3. Students with equal ITP priority (same Need and Program keys) who have

not received previous vocational training shall receive higher priority than those who have received training.

4. The coursework pursued within five years of release shall reflect a coherent sequence of related trades.
5. CTE students (with the exception of Diversified Career Preparation [DCP], Apprenticeship, OJT and/or short courses) who do not have a verified GED or high school diploma, or who do not have workplace skills, shall be concurrently enrolled in a literacy program (if eligible and the school schedule permits).
6. DCP is considered a regular course. Offenders are limited to only one DCP course.
7. If appropriate, CTE students may be concurrently enrolled in Cognitive Intervention, CHANGES, *LifeMatters*, Perspectives and Solutions or Parenting for a maximum nine hours enrollment.
8. Students, who are removed from courses (e.g., participation refused, disciplinary) shall forfeit that enrollment opportunity for vocational training until they become eligible again. (See OP-09.18, "Withdrawing Offenders from Education Programs")
9. Students enrolled in a full length CTE course may not be concurrently enrolled in a college vocational course.
10. Students enrolled in CTE who are later determined to be ineligible (due to claimed or verified educational level) may remain enrolled if they have already completed more than 127 hours of a 600-hour course or 63 hours of a 300-hour course or have paid for industry certification.

## II. Response to Intervention (RTI)

- A. An RTI system shall be used in WSD programs.
- B. RTI is based on the premise that intervening early with struggling students will increase their chances of being successful in general education and avoid special education later.
- C. In the RTI system, teachers identify students at risk for poor learning outcomes, monitor student progress, provide evidence-based interventions and adjust the intensity and nature of the interventions depending on a student's responsiveness.
- D. An overarching goal of the tiered RTI prevention system is the use of evidence-based practices across all tiers of intervention. The RTI process integrates assessment and intervention within a three-tier prevention system to maximize

student achievement.

1. The first tier of the RTI system is validated classroom instruction with focus on the general student population. The core academic curriculum (based on district standards) is presented to all students with adaptations and accommodations made by general education teachers.
2. Students who have difficulty with the general classroom program receive a second tier of prevention using evidence-based practices, typically small group instruction or tutoring, that can be expected to benefit most students.
3. Students who prove unresponsive to classroom instruction and tutoring may be referred for a comprehensive evaluation to consider the possibility of a disability that requires a third, more individualized tier of prevention, perhaps special education. In the third tier of the system, the focus is on those few students who need the most intense interventions. Instruction is delivered in smaller groups and is more tailored to individual needs.

### III. Intervention Assistance Team (IAT)

- A. Each campus shall provide an IAT comprised of the principal, plus two additional members (counselors, general education or special education teachers) appointed by the principal.
- B. The IAT shall convene to review data, make instructional recommendations and provide appropriate guidance for students who are not making satisfactory progress.

### IV. Satisfactory Progress

- A. All students enrolled in literacy programs (i.e., Literacy I, Literacy II, Literacy III, Literacy I--Reading, Computer Assisted Instruction Lab, Special Education and ESL) shall be expected to make adequate yearly progress in order to maintain continued enrollment.
- B. Student progress shall be reviewed at least once per school year.
- C. Adequate yearly progress shall be determined on an individual basis. Consideration shall be given to an individual student's rate of progress.
  1. If the rate of progress indicates that the student should be able to achieve a GED within a reasonable time frame, then the student's progress shall be considered adequate. For students who will most likely be unable to attain a GED, the rate of progress shall at least indicate that WSD will be able to make a significant difference for this offender (e.g., moving from non-reader to reader).

2. Reasonable time frames may be estimated based on the student's initial educational achievement level and the time it might take a student in that grade to complete high school (e.g., a student who is in the fifth grade would have seven to eight years of school left before completion of 12th grade). Therefore, it might be reasonable to expect a WSD student functioning at fifth grade level to be able to attain a GED within a similar length of time (seven to eight years). The reasonable time frame is NOT an entitlement; it is simply a frame of reference to assess rate of progress. Students shall be required to demonstrate reasonable progress each year in order to remain in the program.
- D. Literacy students who do not make adequate yearly progress within the first year of instruction shall be referred to the IAT for review. The IAT shall formally review each student's progress and document decisions related to appropriate placement, interventions to be attempted or referrals to special programs. Documentation of IAT deliberations (options tried or considered) and decisions shall be kept on file.
  - E. The IAT shall review student progress and make a determination whether students who are not making progress are appropriately placed, are receiving appropriate instruction, interventions and/or accommodations, or should be referred to Special Education.
  - F. Literacy students who, despite appropriate intervention, continue not to make adequate yearly progress during the second year of instruction shall be referred to Special Education for assessment.
  - G. The IAT may recommend that a student (age 22 or older) be withdrawn from school. This shall only occur, however, after all options have been tried or considered.  
  
Example: A student may be withdrawn who, despite a sufficient length of time with appropriate instruction, has reached a plateau and is not eligible for Special Education services; or is eligible for Special Education, but does not need or agree to enrollment in Adaptive Skills or must be put on a waiting list for the Adaptive Skills course.
  - H. Admission, Review and Dismissal (ARD) Committee meetings shall be held for Individuals with Disabilities Education Act (IDEA) students (i.e., Special Education students less than 22 years of age) who do not make satisfactory progress. The ARD Committee shall review and revise the Individualized Education Program (IEP), as appropriate. Refer to the Windham School District Operational Guidelines for Special Education §504/ADA manual for additional information.

I. Hours of Enrollment

1. IAT committees shall conduct formal annual reviews for all students whose enrollment exceeds 3,600 instructional hours in literacy programs. The IAT shall consider the reasonable time frame for each individual student and determine whether or not the student's rate of progress continues to be appropriate. Decisions shall be documented and subject to audit.
2. Students shall not be allowed to remain in literacy classes indefinitely when minimal progress is being demonstrated.
3. The academic line of the ITP shall be coded DF (failure to complete) when offenders are withdrawn from the literacy program due to lack of adequate yearly progress.

V. ITP Priorities and Needs

A. Priorities

1. ITP priorities for academic and vocational programs are addressed in WBP-08.01.
2. Younger offenders with the lowest educational levels and the earliest projected release dates receive high priority.
3. Age may be used as a prioritization factor when selecting offenders for enrollment in Life Skills programs (Cognitive Intervention, CHANGES, Perspectives & Solutions, Parenting, *LifeMatters* or Adaptive Skills).
4. Age may be used as a prioritization factor when selecting offenders for enrollment in CTE courses that are designed to train workers for TDCJ (e.g., short courses, DCP and apprenticeship).

B. Needs

The ITP ranks students by need, as well as by priority.

1. Academic – The academic need code reflects the level of Literacy class needed.
  - 3 - Literacy III, EA 6.0 and above
  - 2 - Literacy II, E.A. 4.0 - 5.9
  - 1 - Literacy I, E.A. below 4.0
  - 0 - No assessed academic needs (HSD/GED, college eligible, non-volunteer) or Administrative Segregation or Level 5

2. Vocational – The vocational need code reflects the need based on age and projected release date.
  - 3 - Offender is less than 35 years of age and has less than 5 years to projected release date.
  - 2 - Offender is 35 years of age or older and has less than 5 years to projected release date.
  - 1 - Offender has 5 years or greater to projected release date.
  - 0 - No need at this time for WSD programming, due to lengthy, consistent work history/marketable job skills; prospects for employment upon release or Administrative Segregation or Level 5

\* Signature on file  
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