



WINDHAM SCHOOL
DISTRICT
BOARD OF TRUSTEES

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SUPERSEDES: None

BOARD POLICY

SUBJECT: STUDENT ELIGIBILITY FOR WINDHAM SCHOOL DISTRICT PROGRAMS

AUTHORITY: Texas Education Code, Chapter 19, 34 C.F.R. § 104.4; Section 504 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); Tex. S.B. 1, 79th R.S. 2005 Tex. Gen. Laws III-17

APPLICABILITY: Windham School District

POLICY:

The Windham School District (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.

Admission to WSD educational programs is based on eligibility for Windham programs, educational achievement level, aptitude and interest, and available class space.

It is the policy of the WSD not to discriminate on the basis of race, color, national origin, sex, or handicap in its educational programs, services, or activities as required by Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973, as amended.

No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any WSD program.

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 and its implementing regulations.

PROCEDURES:

I. Program Description

The WSD provides a variety of academic classes and Career and Technology 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. An integrated academic/career and technology education 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/tolerance, teamwork, decision-making, and problem solving.

II. Student Eligibility for the WSD Programs

Offenders assigned to the Correctional Institutions Division, who are General Population Levels 1, 2 and 3, excluding offenders in administrative segregation and death row, shall be eligible for participation in the WSD programs if specific criteria are met. Where practical, and with the warden's approval, participation by offenders who are General Population Levels 4 and 5 may be considered on a case-by-case basis (TDCJ Administrative Directive [AD]-07.02, "Offender Participation in Education Programs and Services"). State jail offenders who are Low Risk and Medium Risk Levels J1 and J2 shall be eligible for participation in educational programs if specific criteria are met. Where practical, and with the warden's approval, participation by J4 and J5 offenders may be considered on a case-by-case basis. The Individualized Treatment Plan (ITP) shall guide all placement decisions (TDCJ AD-07.02). The WSD services are provided as a result of an identified need. Services are not an entitlement for offenders. The WSD Offender Programs (Attachment A) illustrates the programs that an offender 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 Perspectives & Solutions, as set forth in Section II.I below).

A. Literacy

Offenders without a GED/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)

English as a Second Language services (where available) shall be provided for eligible offenders with limited or nonexistent English speaking, reading and writing abilities.

D. Title I

Remedial programs for offenders under 21 years of age require concurrent enrollment in a regular program of instruction.

E. Cognitive Intervention

Cognitive Intervention services (where available) are provided through referrals due to a history of attitude and behavior problems and/or institutional adjustment problems; volunteer students may be accepted.

F. 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.

G. *LifeMatters*

A life skills program for offenders who have more than 24 months until their projected release.

H. Parenting

A parenting program for offenders nearing release.

I. Perspectives & Solutions

A cultural tolerance and problem-solving program for offenders at intake units.

J. Career and Technology Education (CTE)

Career and Technology Education includes regular vocational programs, Diversified Career Preparation (DCP), Apprenticeship, On-The-Job-Training (OJT) and short courses. Not all programs are available on all facilities. Participation in CTE courses shall be based on prior and current incarcerations, and the length of time to an offender's projected release in order to address the

agency's need for qualified workers. Within five (5) years of projected release, additional training may be appropriate to further an offender's career opportunities. Up to two (2) regular courses, which are linked to a specific labor demand, may be taken within five (5) years of release.

Note: Because course content rapidly becomes outdated, Business Computer Information Systems (BCIS), Computer Maintenance Technician, and/or Computer Aided-Drafting should be offered to offenders who are within five (5) years of release.

1. Offenders shall meet additional criteria to be considered for regular CTE and short courses.
 - a. For all courses, students must exhibit an interest in the specific course as identified through an interest inventory (waived for short courses, BCIS-I, DCP, Personal & Family Development, Apprenticeship, OJT).
 - b. Students must have potential for success by demonstrating Education Achievement (EA) scores in accordance with the recommended levels established by the CTE Department (waived for special education students upon recommendation of the Admission, Review and Dismissal [ARD] committee).
 - c. Students must 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.
 - e. Students are concurrently enrolled in Project Re-Integration of Offenders (Project RIO) (waived for offenders who do not qualify).
 - f. Students who have not completed a GED or who do not have workplace skills are required (if eligible and school schedule allows) to be concurrently enrolled in the WSD academic programs with the exception of DCP, apprenticeship, OJT and/or short courses.
 - g. In addition to other established criteria, students considered for WSD short courses shall meet one (1) of the following:
 - (1) are within two (2) years of release;
 - (2) are working in a TDCJ job for which the short course will improve work skills;
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 Texas Education Agency-approved cooperative area.
2. A comprehensive evaluation shall be conducted for all students prior to placement in the CTE courses or for those who are within five (5) 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 completion of the Vocational Class Placement form. Program recommendations resulting from the assessment process shall be recorded in the appropriate database for offenders' whose projected release date is within five (5) years (database recordkeeping is waived for campuses that may not utilize the transfer process, i.e., state jails, small transfer facilities, etc.). See WSD Policy 8.17, Guidance Program.

Specific offender eligibility criteria for the apprenticeship and OJT management programs is delineated in WSD Policy.

III. ITP Priorities

A. Offenders shall be enrolled in academic and vocational programs based on ITP priority codes. The following codes reflect highest to lowest priority by program key:

1. Academic:
 - 3 Less than age 22
 - 2 Age 22 to 34
 - 1 Age 35 to 59
 - E Age 60 or older
 - 0 No need; currently enrolled; those ineligible due to the TDCJ/WSD policy or procedures
2. Vocational:
 - 3 Less than age 22
 - 2 Age 22 to 34 and within five (5) years of projected release date (PRD)
 - 1 Age 35 to 59 and within five (5) years of PRD
 - Y Age 22 to 34 with PRD greater than five (5) years
 - M Age 35 to 59 with PRD greater than five (5) years
 - E Age 60 or older or offenders with Immigration & Customs Enforcement (ICE) detainees
 - 0 No need; currently enrolled; those ineligible due to TDCJ/WSD policy or procedures
3. Students within the same ITP tier who do not have previous vocational training shall receive higher priority than others when considered for vocational enrollment.
4. Students within the same ITP tier who do not have a GED shall receive higher priority than those who have a GED or high school diploma (except for Perspectives & Solutions).

B. Detainers

1. Offenders with ICE detainees may be enrolled in ESL classes if their projected release dates are greater than one (1) year. 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.

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

Christina Melton Crain, Chairman
Windham School District Board of Trustees

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						X	X	X			X

college hours ¹											
No GED/HSD with participation/completion in one or more college vocational courses inside TDCJ ³					X	X	X	X	X	X	X

WSD Offender Programs

- 1 College participation/completion in non-credit courses and/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 to those 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.