



WINDHAM SCHOOL  
DISTRICT

**NUMBER:** WBP-08.01 (rev. 3)  
**DATE:** February 19, 2016  
**PAGE:** 1 of 7  
**SUPERSEDES:** WBP-8.01 (rev. 2)  
June 15, 2012

# WINDHAM BOARD POLICY

---

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

**AUTHORITY:** Tex. Educ. 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*, 84<sup>th</sup> 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, as indicated on their Individualized Treatment Plan (ITP), 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, genetic information, uniformed services status, 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 will 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 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 established for each individual offender to guide staff in the placement of offenders in treatment programs. Offenders shall be enrolled in educational, academic, and vocational programs based on ITP priority codes.

**PROCEDURES:**

I. Program Description

The WSD provides a variety of academic classes, life skills, and Career and Technical Education (CTE) courses to offenders incarcerated in the Texas Department of Criminal Justice (TDCJ). The WSD also works in conjunction with select local school districts with the TDCJ to provide a high school diploma (HSD) program for eligible offenders who were close to achieving a diploma prior to incarceration, and with select colleges and universities to provide dual credit opportunities for qualifying students.

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. Integrated academic, life skills, and CTE programs provide instruction in the skills and workplace competencies identified by the Secretary’s Commission on Achieving Necessary Skills. 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

Students must meet minimum requirements as established by TDCJ AD-07.02. 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.

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.

WSD Offender Programs (Attachment A) illustrates the programs offenders may be eligible for if certain conditions are met. When selecting students for all programs, offenders who have not yet earned a General Educational Development (GED) certificate shall have higher priority than those who have an HSD from an accredited institution, a GED, or any equivalent state issued certificate.

A. Literacy

Offenders without an HSD, GED, or equivalent state issued certificate 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 and applicable federal statutes and regulations.

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. 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.

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. Parenting & Family Wellness

Parenting & Family Wellness is a parenting program, offered at selected units, that supports the development of healthy family relationships.

H. CTE

CTE includes regular vocational programs (600- or 300-hour courses or various length certification courses), 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. Business Computer Information Systems (BCIS) I/II are excluded from the number of CTE courses available to offenders within five years of release.

Because course content rapidly becomes outdated, Business Image Management & Multimedia, BCIS I and II, 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 (600- or 300-hour courses or various length certification courses) and short courses.
  - a. For all courses, students shall exhibit an interest in the specific course as identified through a career interest interview with education staff.
  - 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. CTE students, Apprenticeship, OJT, and short course 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.
  - e. 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.
- f. Students enrolled in a short course may not be concurrently enrolled in a regular CTE course or the Apprenticeship program.
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 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.

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

I. High School Diploma Program

Offenders under 26 years of age who do not have an HSD may participate in the HSD program, where available. Dual credit courses may be offered in conjunction with local colleges and universities.

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) detainers
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

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 an HSD, GED, or equivalent state issued certificate shall receive higher priority.

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. Waiver 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  
\_\_\_\_\_  
Hon. Dale Wainwright, Chairman  
Windham School District Board of Trustees

### WSD Offender Programs

Offender Level of Education	Literacy <sup>6</sup>	Special Ed	ESL <sup>4</sup>	Title I	Cognitive Intervention	CHANGES	Parenting & Family Wellness	CTE <sup>1</sup>	Short Courses <sup>2</sup>	Apprenticeship & OJT
No HSD/GED	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 college entrance exam requirements	X	X <sup>5</sup>			X	X	X	X	X	X
HSD/GED with no claimed/verified college and meets EA college entrance exam requirements					X	X	X	X	X	X
HSD/GED with less than or equal to 30 claimed/verified college hours <sup>1</sup>					X	X	X	X	X	X
HSD/GED with more than 30 claimed/verified college hours <sup>1</sup>					X	X	X		X	X
HSD/GED with participation/completion in one or more college vocational courses inside TDCJ <sup>3</sup>					X	X	X	X	X	X
No HSD/GED with less than or equal to 30 claimed/verified college hours <sup>1</sup>					X	X	X	X	X	X
No HSD/GED with more than 30 claimed/verified college hours <sup>1</sup>					X	X	X		X	X
No HSD/GED with participation/completion in one or more college vocational courses inside TDCJ <sup>3</sup>					X	X	X	X	X	X

1 College participation/completion in non-credit courses 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 college 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 an HSD by Individualized Education Program (if Special Education Services are needed).

6 Applies to offenders who earned college hours preceding implementation of college entrance exam requirements.