



WINDHAM SCHOOL
DISTRICT

NUMBER: WBP-08.01 (rev. 4)
DATE: April 20, 2018
PAGE: 1 of 5
SUPERSEDES: WBP-8.01 (rev. 3)
February 19, 2016

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*, 84th Leg. R.S., Art. III, Rider 6

Reference: 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 WSD Program Date 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 the *Individuals with Disabilities Education Act*, Section 504 of the *Rehabilitation Act of 1973*, and all legislation or rules regarding English Language Learners.

DEFINITIONS:

“Individualized Treatment Plan” (ITP) is a plan established for each individual offender to guide staff in the placement of offenders in programs. Offenders shall be enrolled in educational programs based on ITP priority codes. See TDCJ AD-07.07, “Individualized Treatment Plan (ITP) Management,” and the *Individualized Treatment Plan Procedures Manual* for complete policies and procedures related to ITP.

“WSD Program Date” is the date calculated via an automated process to estimate the earliest anticipated release date for an offender based on sentence length, offender type, applicable parole approval vote, applicable mandatory supervision date, rehabilitation program estimated date of completion, maximum expiration date (discharge date), or other criteria as needed to identify the time available for appropriate program placement.

PROCEDURES:

I. Program Description

The WSD provides a variety of academic, 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 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 are linked to employment or postsecondary education preparation to assist low-skilled adult learners to advance along a career path to improve their employment opportunities and wage-earning potential. 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, “Offender Participation in Educational Programs and Services.”

The ITP shall guide all placement decisions, and WSD services shall be provided as a result of an identified need. See TDCJ AD-07.07 and the *Individualized Treatment Plan Procedures Manual* for complete policies and procedures related to ITP.

When selecting students for academic programs, offenders who have not yet earned a high school equivalency (HSE) certificate shall have higher priority than those who have an HSD from an accredited institution, an HSE certificate, or any equivalent state issued certificate of high school equivalency. Offender who are under 22 years of age shall have the highest priority.

A. Literacy

Offenders without an HSD, HSE certificate, or any equivalent state issued certificate are required to attend literacy programs if prescribed by their ITP. Students who possess an HSD or HSE certificate, who have a need to improve their academic skills for college-readiness or CTE purposes, may attend Literacy classes, as space is available.

B. Special Education

Special Education services are provided for eligible offenders in accordance with federal, state, and local regulations per the student's Individualized Education Program, as designated by the student's Admission, Review, and Dismissal committee (refer to Title 34, Chapter III of the Code of Regulations).

C. English as a Second Language (ESL)

Appropriate services are provided for English Language Learners in accordance with federal, state, and local regulations per the students' Language Proficiency Assessment Committee (LPAC).

D. Title I/Lead and Achieve Academy

Programs funded by Title I, Part D, Subpart 1 shall be provided for offenders who are under 22 years of age.

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. Career and Technical Education (CTE)

CTE includes vocational programs, Apprenticeship, and On-the-Job Training. Not all programs are available at all units.

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.

III. Individualized Treatment Plan Priorities

Offenders shall be enrolled in educational programs based on ITP priority codes. See TDCJ AD-07.07 and the *Individualized Treatment Plan Procedures Manual* for complete policies and procedures related to ITP. 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

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 Courses

Offenders with ICE detainers may be enrolled in ESL classes.

B. For other programs, offenders with ICE detainers may be considered for enrollment on a case-by-case basis, with students under 22 years of age receiving highest priority.

C. Apprenticeship Program

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

V. Additional Program Information

For detailed information regarding student eligibility, refer to the appropriate WSD Superintendent's Directive or WSD Operational Procedure.

Signature on file

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