



**WINDHAM SCHOOL  
DISTRICT**

**NUMBER: SD-09.18 (rev. 1)**

**DATE: July 24, 2014**

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**SUPERSEDES: SD-09.18  
January 14, 2009**

# **SUPERINTENDENT DIRECTIVE**

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**SUBJECT: WITHDRAWING OFFENDERS FROM EDUCATIONAL PROGRAMS**

**AUTHORITY:** Texas Education Code §§ 19.004 and 19.005; Texas Government Code § 508.152; TDCJ Administrative Directive (AD)-07.02, “Offender Participation in Educational Programs and Services”; and AD-07.07, “Individualized Treatment Plan (ITP) Management”

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

## **POLICY:**

The WSD shall provide appropriate educational programming and services to meet the needs of the eligible offender population in the Texas Department of Criminal Justice (TDCJ). Educational requirements are stipulated by the offender’s Individualized Treatment Plan.

It is the policy of the WSD not to discriminate on the basis of race, color, religion, national origin, gender, disability, uniformed services status, or genetic information in its educational programs, services, or activities.

## **DEFINITIONS:**

“Excused Absence” is an authorized student absence such as bereavement or medical lay-in.

“Individualized Treatment Plan” (ITP), as it relates to WSD, is a plan developed for each offender which requires attendance, active participation, and completion of educational requirements. The ITP prioritizes an individual offender’s participation in recommended programs based on such factors as offender’s age, needs, projected release date, and program availability.

“Intervention Assistance Team” (IAT) is the committee of educational staff that reviews student progress as needed.

“Non-Voluntary Programs” are programs required by the offender’s ITP.

“Non-Voluntary Programs after enrollment” are programs that are not required by the offender’s ITP; however, once the offender chooses to enroll, the program becomes non-voluntary.

“Program Refusal” occurs when the offender is instructed to attend a specific program and refuses; attends but refuses to do the required work; or exhibits disruptive behavior that results in disciplinary action.

“Unexcused Absence” is an unauthorized student absence.

“Unit Classification Committee” (UCC) is comprised of representatives from various departments on the unit who are designated and trained to review offender classification in accordance with the TDCJ *Classification Plan*.

“Voluntary Programs” are programs not required by the offender’s ITP.

“Withdrawal” is the removal of a student from an educational program. This includes the computer processes necessary to formally remove the student from the class enrollment roster.

“Withdrawal Code” is the corresponding numeric code designating the reason for withdrawing a student from educational programs.

## **PROCEDURES:**

Withdrawal from educational programs prior to program completion shall never occur without serious consideration of the student’s circumstances to include, but not be limited to, lack of attendance, participation or progress, medical concerns, age, or disciplinary issues. Educational staff, including teachers, counselors, and principals shall encourage participation in educational programs and motivate accordingly. ITP codes shall be updated by the appropriate educational staff to reflect current withdrawal status.

### I. Voluntary/Non-Voluntary Programs

- A. Students who voluntarily participate in educational programs shall be held to the same standards of attendance and participation as students whose participation is non-voluntary.
- B. The following shall be considered non-voluntary programs prior to enrollment:
  1. Academic
    - a. All Literacy levels;
    - b. Literacy 1 – Reading; and
    - c. English as a Second Language (ESL);

2. Changing Habits and Achieving New Goals to Empower Success (CHANGES); and
  3. Cognitive Intervention Program (referral).
- C. The following services shall be considered voluntary and are not required by a student's ITP. Consequently, a Program Refusal (PR) Participation Code shall not be entered if an offender does not wish to participate in these specific services. Participation in Literacy programming as required by the ITP process is still mandatory.
1. Special Education Services and
  2. Title I.
- D. The following shall be considered non-voluntary after enrollment; therefore, withdrawal from these programs shall follow the guidelines set forth for non-voluntary programs.
1. Vocational (Career and Technical Education [CTE]);
  2. Cognitive Intervention Program (self-referral); and
  3. Parenting & Family Wellness.

## II. Program Refusal

- A. Offenders shall be counseled by the principal or counselor prior to enrollment concerning the following:
1. Participation refusals might negatively affect parole considerations.
  2. After a student refuses to attend and is withdrawn from a program, educational staff is not obligated to re-enroll the student for six months from the date of removal.
- B. Offenders who refuse to attend class may be dropped from the official class roster pending UCC action.
- C. A PR Participation Code shall be recorded on the student's ITP after UCC has reviewed and approved the withdrawal for any student with respect to programs identified in Sections I.B and D of this policy.

## III. Reasons for Withdrawal

Students may be withdrawn from educational program(s) for, but not limited to, the following reasons, as outlined in Operating Procedures (OP)-09.18.

- A. Violation of TDCJ Rules and Regulations
  - B. Non-attendance (Unexcused and Excused Absences)
  - C. Medical Reasons
  - D. Violation of Rules for Student Conduct
  - E. Low Priority
  - F. Unsatisfactory Progress
- IV. Withdrawal Process
- A. Withdrawal of students for WSD disciplinary violation(s) shall be referred to the UCC in accordance with the guidelines outlined in OP-09.18.
  - B. Refusal to participate in the intake process does not constitute refusal to participate in educational programs.
  - C. When an offender with a PR Participation Code transfers to another unit, the receiving unit staff shall re-assess the PR status of the offender.

Signature on file  
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Dr. Clint Carpenter, Superintendent  
Windham School District