



**WINDHAM SCHOOL
DISTRICT**

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**SUPERSEDES: WBP-8.01 (rev. 4)
April 20, 2018**

WINDHAM BOARD POLICY

SUBJECT: STUDENT ELIGIBILITY FOR WINDHAM SCHOOL DISTRICT PROGRAMS

AUTHORITY: Tex. Educ. Code §§ 19.001–.012; 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*, 87th Leg. R.S., Art. III, Rider 6

Reference: TDCJ Administrative Directive (AD)-07.02, “Offender Participation in Educational Programs and Services”; AD-07.07, “Individualized Treatment Plan Management”; and the *Individualized Treatment Plan Procedures Manual*

APPLICABILITY: Windham School District (WSD)

POLICY:

The WSD shall use appropriated funds to serve students whose participation in WSD educational programs will help achieve the goals of reducing recidivism and increasing success of former residents in obtaining and maintaining employment. To achieve these goals, younger residents 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 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 Learners.

DEFINITIONS:

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

“Resident,” for the purpose of WSD programming, refers to an inmate in the TDCJ. The term resident is applied to advance WSD’s person-centered approach to educational services, which includes promoting and developing an individual’s positive self-esteem and self-identity.

“Student” is an individual incarcerated in the TDCJ that is enrolled in WSD educational services.

“WSD Program Date” is the date calculated via an automated process to estimate the earliest anticipated release date for a resident based on sentence length, resident 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 residents incarcerated in the Texas Department of Criminal Justice (TDCJ). The WSD provides a high school diploma (HSD) program for eligible residents who were close to achieving a diploma prior to incarceration. The WSD also works with select colleges and universities to provide dual credit opportunities for qualifying students.

WSD programs are designed to meet the unique needs of adult residents and address the legislatively mandated goals of reducing recidivism, reducing the cost of confinement, promoting positive behavior during confinement, and increasing residents’ 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, residents 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. Residents who are under 22 years of age shall have the highest priority.

A. Academic

Residents without an HSD, HSE certificate, or any equivalent state-issued certificate are required to attend academic programs if prescribed by their ITP.

B. Special Education

Special Education services are provided for eligible students 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 Learners in accordance with federal, state, and local regulations per the students’ Language Proficiency Assessment Committee (LPAC).

D. Title I

Supplemental services funded by Title I, Part D, Subpart 1 shall be provided at designated campuses for eligible students.

Individuals who are within two years of completing their incarceration are given priority for receiving supplemental services.

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 residents who are within 24 months of release as prescribed by their ITP.

G. Parenting

Parenting supports the development of healthy family relationships.

H. Career and Technical Education (CTE)

CTE includes vocational programs, Apprenticeship, and On-the-Job Training.

I. High School Diploma Program

Residents under 26 years of age who do not have an HSD may be eligible to participate in the HSD program, with priority given to individuals under the age of 22. Individuals under the age of 18 or under the age of 22 who are eligible for special education services will be screened for participation in the HSD program. Screening for the HSD program will take into consideration the duration of the individual's incarceration, current level of education, educational goals, and preference and recommendations of the Admissions, Review, and Dismissal Committee.

III. Individualized Treatment Plan Priorities

Residents 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.

Students within the same ITP tier who do not have an HSD or HSE shall receive higher priority.

IV. Immigration and Customs Enforcement (ICE) Detainers

A. English as a Second Language Courses

Residents with ICE detainers may be enrolled in ESL classes.

B. For other programs, residents with ICE detainers who are under the age of 22 and

do not have an HSE/HSD may be enrolled. Other residents with ICE detainees may be considered for enrollment on a case-by-case basis.

C. Apprenticeship Program

Residents with ICE detainees 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*

Patrick L. O'Daniel, Chairman
Windham School District Board of Trustees