



**TEXAS BOARD  
OF  
PARDONS AND PAROLES**

**Number: BPP-POL. 145.252**

**Date: July 15, 2021**

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**Supersedes: October 28, 2020**

## **BOARD POLICY**

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**SUBJECT: SPECIAL CONDITION “E” (EDUCATIONAL SKILL LEVEL AND VOCATIONAL TRAINING)**

**PURPOSE:** To establish Special Condition “E” (Educational Skill Level and Vocational Training) as a special condition of parole or mandatory supervision and to establish a procedure for imposing educational skill level and vocational training as a condition of parole or mandatory supervision.

**AUTHORITY:** Texas Government Code Sections 508.183, 508.0441, 508.221, and 508.319

**POLICY:** Special Condition “E” represents a cooperative effort between the Texas Board of Pardons and Paroles (Board), the Texas Department of Criminal Justice (TDCJ) Parole Division (Division), and the Texas Education Agency to effect a successful reintegration of the offender into society.

The goal of the Board is to encourage each offender to attain the maximum level of educational skill possible and participate in vocational training while on parole or mandatory supervision.

Special Condition “E” is not intended for offenders who lack the intellectual capacity or learning ability to earn a General Education Development (GED) certificate or attain an Educational Achievement (EA) score of 6.9, nor is it intended for offenders with an official diagnosis of an intellectual disability unless proper resources are available.

**DISCUSSION:** The Board determines conditions of parole and mandatory supervision. Except in special circumstances, Board Members and Parole Commissioners act in panels comprised of three persons, and panel decisions are made by majority vote. The Presiding Officer designates the composition of the parole panels. Special conditions are conditions imposed in addition to the standard conditions of parole or mandatory supervision. Unless otherwise provided, any condition may be imposed before or after release and shall remain in effect until specifically removed by a parole panel.

**DEFINITIONS:** Adult Basic Education Programs may include, but are not restricted to:

- HSEP – High School Equivalency Program
- ESL – English as a Second Language Program

- Literacy classes for students below first grade functioning level
- Vocational Classes may include, but are not restricted to:
- Accredited and Licensed Vocational Trade School
  - Vocational training through community college programs
  - Other appropriate training as instructed by the offender's supervising Parole Officer.

**COMPONENTS:** Special Condition "E" is intended to afford the offender's supervising Parole Officer the flexibility to structure the requisites of this special condition according to supervision needs. At any time this condition is in effect, and to the extent directed in writing by the offender's supervising Parole Officer, an offender shall:

- A. Participate in educational achievement testing in order to ascertain educational skill level, intellectual capacity, or learning ability.
- B. Participate in any appropriate educational or vocational programs as instructed by offender's supervising Parole Officer.

**PROCEDURE:**

- I. Criteria for Imposition of Special Condition "E" – Special Condition "E" is intended (1) for offenders with an EA score below 6.9 or those who do not have a high school diploma, high school equivalency, or GED; and (2) for offenders to acquire employment while in the custody of the Division to lessen the likelihood that the offender will return to the TDCJ Correctional Institutions Division.
  - A. When a parole panel determines that an offender has an educational skill level that is not equal to or greater than the average skill level of students who have completed the sixth grade in a public school, the parole panel shall impose Special Condition "E."
  - B. The condition shall remain in effect until the offender achieves the required educational skill level.
- II. Imposition of Special Condition
  - A. A parole panel, upon a majority vote, may impose Special Condition "E" as a condition of parole or mandatory supervision.
  - B. Unless otherwise directed, any condition of parole or mandatory supervision imposed is effective on the date of the parole panel decision.

**III. Withdrawal of Special Condition**

- A. Once Special Condition “E” is imposed, it shall continue to govern the offender for the duration of the supervision period or until appropriate certification is completed.
- B. A parole panel, upon majority vote, may withdraw Special Condition “E” as a condition of parole or mandatory supervision.

**ADOPTED BY MAJORITY VOTE OF THE BOARD ON THE 15<sup>TH</sup> DAY OF JULY, 2021.**

**DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)**

*\*Signature on file.*