

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION



**POLICY AND
OPERATING PROCEDURE**

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SUBJECT: PROJECT COPE (COMMUNITY OPPORTUNITY PROGRAM IN EDUCATION) ADMINISTRATIVE GUIDELINES

AUTHORITY: TEXAS DEPARTMENT OF CRIMINAL JUSTICE-TEXAS EDUCATION AGENCY (TDCJ-TEA) MEMORANDUM OF UNDERSTANDING; 19 TEX. ADMIN. CODE § 89.23 (WEST 1997); TEX. GOV'T CODE ANN. § 508.183 (WEST 1997); TEXAS CODE OF CRIMINAL PROCEDURES § ARTICLE 15.27; TEXAS EDUCATION CODE SECTION 25.001

PURPOSE: To identify administrative procedures for program referral timeframe, enrollment and excused program referral criteria, criteria to satisfy special conditions, role and responsibilities of region and District Parole Office (DPO) Education Coordinators and statistical reporting.

PROCEDURE:

I. OFFENDER ADULT EDUCATION PROGRAM INFORMATION

- A. The Texas Education Agency (TEA) assumes the major responsibility for adult education in Texas. In addition to curriculum development and program monitoring functions, the agency allocates state and federal dollars to adult education providers (fiscal agents) throughout the state. Adult education providers funded by TEA include independent school districts, region education service centers and public colleges or universities.
1. Most programs operate on an annual basis from July 1 through June 30. Funding allocations to local educational agencies are based on the number of student contact hours generated and the number of eligible adults residing within service delivery areas.
 2. Recognizing that adults may need instructional services during daytime hours, adult education allows the use of non-school facilities for the delivery of adult education services. The fiscal agents may form agreements with organizations that could provide services at work sites, public libraries, churches, community centers, county jails, and probation and parole offices.

- B. In addition to the education providers directly funded by the TEA, numerous community-based organizations throughout the state provide adult education classes, such as county volunteer literacy councils. Many of these organizations use volunteer teachers who often provide one-on-one instruction.
- C. Offenders are assessed when they are received in the Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID). If their assessment is below a 6.9 Educational Achievement (EA) score (sixth grade level of skill), they are mandated to attend adult basic education classes (compulsory school) and are subsequently tested after approximately each 100 hours of instruction.
- D. The legislature issued a similar mandate to courts that place offenders on adult community supervision. For this reason, the TDCJ and TEA encourage DPOs, Community Supervision and Corrections Departments (CSCDs) and local adult education providers to coordinate resources to provide educational services to as many offenders as possible.
- E. Adult education providers place students in instructional programs based on their assessed educational levels. Programs may include any of the following:
 - 1. Literacy for students below first-grade functioning level;
 - 2. Adult Basic Education (ABE) for students at grades 1–8 functioning level;
 - 3. Adult Secondary Education (ASE) for students at grades 9–12 functioning level, designed to qualify them for a high school diploma or enable them to earn a certificate of high school equivalency, such as the General Education Development (GED) certificate;
 - 4. English as a Second Language (ESL) for students with limited English proficiency;
 - 5. Life-coping skills for students at various functioning levels, and
 - 6. Citizenship for students at various functioning levels.
- F. No student tuition or fees shall be charged for adult basic education. By contrast, tuition and fees for adult secondary education may be charged, as established by local board policy. Most adult education providers charge a fee to administer each of the five tests to obtain a GED. This fee varies by provider.
- G. The Texas Center for the Advancement of Literacy and Learning (TCALL) is the resource for adult education provider directories. The website access to obtain resources is <http://www-tcall.tamu.edu/provider/search.htm>:

1. Search by city or county.
 2. Click on the Interactive Texas Map titled "Providers of Adult Education by county." Select and click on a county and a listing of all providers that service the county will display.
- H. Secondary School Attendance, pursuant to Section 15.27, Code of Criminal Procedures:
1. In the event an offender requests to attend a secondary school, the officer shall contact the Sex Offender Program Supervisor, or designee, prior to approving or allowing an offender to attend school. The Sex Offender Program Supervisor or designee will provide written instructions regarding procedures for allowing an offender to attend a secondary school.
 2. For an offender who is under age twenty-six (26) who is enrolled in a primary/secondary school, the parole officer shall immediately notify the Superintendent of the school district or a person designated by the superintendent or in the case of a private school, the Principal, or his/her designee, of the appropriate school.
 3. In the event an offender who has been given permission to attend a secondary school is transferred or reenrolled in another school, the supervising parole officer shall verbally notify the designated official of the new school prior to allowing the offender to attend. Upon the parole officer learning of an offender's transfer or reenrollment, written notification to the new school official shall follow within 24 hours or before the next school day, whichever is earlier. The parole officer shall enter this contact in OIMS, within three (3) business days, as an Investigative Contact.
 - a. The parole officer shall advise the primary/secondary school officials of offender's status of currently being under parole supervision and the offender's instant offense;
 - b. The parole officer shall provide the same information to the Sex Offender Program Supervisor within five (5) business days;
 - c. The Sex Offender Program Supervisor or designee shall compile, maintain and track the offenders' progress until graduation from school or discharge of sentence, whichever comes first.

II. SELECTION CRITERIA

- A. All offenders on parole or mandatory supervision with an EA score below 6.9 shall be referred to an adult education program and required to enroll and participate until they can attain an EA score of 6.9.

- B. All offenders without a verifiable EA score shall be referred to an adult education program for an education assessment and diagnosis. Assessment is recommended because the EA score may not accurately reflect the education achievement of all offenders (e.g., those whose first language is not English).
- C. All offenders with a special condition “E – Basic Education/Vocational Training” or “O.02 – Demonstrate 6th Grade Educational Level” shall be referred to an adult education/vocation training program and required to participate until the appropriate level of educational achievement or vocation has been obtained.

III. PROGRAM REFERRAL PROCEDURE

- A. The parole officer shall review the EA scores and educational participation records of offenders requiring a referral pursuant to the selection criteria outlined in Section II.
- B. The parole officer shall make a referral by completing the Parole Division portion of the TDCJ-PD Project COPE Referral and Enrollment Form (PSV-86) and shall provide copies to the offender, DPO Education Coordinator (two copies), and the DPO case file.
- C. All program referrals shall be completed during the initial office visit or no later than five (5) business days of offender's initial report day or special condition imposition.
 - 1. The parole officer shall print any disclosure form(s) necessary for the referral and have the offender sign them, as applicable, and scan the disclosure form(s) into the Offender Information Management System (OIMS)-Imaged Documents;
 - 2. The parole officer shall provide the offender with specific, written program appointment instructions, including date, time, location; and
 - 3. The parole officer shall ensure that the OIMS entries are updated no later than three (3) business days of the referral.
- D. The offender shall be referred to the most accessible education site obtained from the TCALL adult education provider directory referenced in Section I.G. of this policy.
 - 1. If a site is no longer accepting new students, the parole officer shall refer the offender to the next most accessible site.
 - 2. If no reasonably accessible sites exist, a referral shall be completed to the most accessible site and the adult education provider shall place the offender on a waiting list.
- E. The parole officer shall instruct the offender to present a copy of PSV-86 to the education site instructor.
- F. When an offender does not comply with the referral instructions outlined on the PSV-86 within thirty (30) calendar days, the parole officer shall:

1. Document non-compliance in the TDCJ-Parole Division (PD) OIMS Program Referral Section and Contacts Screen, repeat the referral instructions outlined on the PSV-86 (a new referral form is not necessary), and advise the offender that further issues of non-compliance shall be addressed in accordance with PD/POP 4.1.1 – *Processing Violations of the Rules and Conditions of Release*; and
 2. Discuss with the offender the benefits of literacy, living skills, and/or a GED (e.g., enhanced employment opportunities and self-esteem).
- G. The parole officer shall complete a new referral form (PSV-86) when:
1. An offender is terminated and is subsequently required or requests to re-enroll;
 2. An offender transfers supervision to another DPO served by a different education provider; or
 3. An offender transfers to a different education provider.
- H. When a parole officer is unsure of an offender’s intellectual capacity, learning ability, or the availability of special education classes, the parole officer shall complete a TDCJ-PD Project COPE Referral and Enrollment Form (PSV-86) and refer the offender to appropriate testing at the nearest adult education site. The results of the testing and a determination regarding the suitability of the offender for available classes shall be reported to the DPO Education Coordinator and supervising parole officer on the applicable portion of the PSV-86.

IV. EXCUSED PROGRAM REFERRAL CRITERIA

- A. Offenders with an official diagnosis of mental illness not currently stabilized by medication shall not be referred to or required to attend an adult education program until:
1. Treatment for the problem is obtained;
 2. A reasonable period of mental stability is observed; and
 3. Educational assessment concludes that a higher educational achievement can be attained.
- B. Offenders with an official diagnosis of Intellectual Developmental Disorder or who lack the intellectual capacity or learning ability to earn a GED or attain an EA score of 6.9, as determined by the adult education provider, shall not be referred to or required to participate in an adult education program. However, the offender may be referred to vocation training, unless the same determination is made as noted above. The parole officer may satisfy the special condition if it is established that the offender is incapable of meeting established requirements. Therefore, no program referral is required.

- C. Offenders exhibiting symptoms of current illicit drug use or alcohol abuse shall not be referred to or required to attend an adult education program until:
 - 1. The offender is satisfactorily participating in a substance abuse program; and
 - 2. No evidence exists of further substance abuse.
- D. Offenders with known outstanding warrants for arrest (felony, misdemeanor, or pre-revocation warrants) shall not be referred to or required to attend an adult education program.
- E. An offender may be medically excused if there is written documentation that the offender cannot physically attend or does not maintain the mental capacity to attend.
 - 1. Excused enrollment requires the parole officer to staff the case with the unit supervisor. Upon the unit supervisor's review, the request shall be approved, disapproved or returned for correction.
 - 2. Excused enrollment shall be reviewed every six (6) months. All excused enrollment shall be documented in the OIMS, within three (3) business days of the referral.

V. SATISFYING SPECIAL CONDITION "E – BASIC EDUCATIONAL / VOCATIONAL TRAINING" AND "O.02 – DEMONSTRATE 6TH GRADE EDUCATION SKILL LEVEL"

- A. Offenders who have obtained the appropriate EA score, as verified by the adult education provider of education achievement, shall be excused from additional educational referrals.
- B. The parole officer shall update the OIMS education screen, identifying the new EA score.
- C. The Program Referral shall be closed, documenting program completion and the special condition "satisfied" in the OIMS. To satisfy special condition "E" in the OIMS, the supervising parole officer shall click the edit button in the special condition screen and add the date satisfied. This will move the special condition into history.

VI. ROLE AND RESPONSIBILITIES OF PAROLE DIVISION REGION EDUCATION COORDINATOR AND DISTRICT PAROLE OFFICE EDUCATION COORDINATORS

- A. The TDCJ-PD Region Director or designee shall:
 - 1. Select staff members to function as TDCJ-PD Region and DPO education coordinators; and
 - 2. Advise the Project COPE Program Supervisor III, Specialized Programs, when a region or DPO education coordinator has changed.

B. The region education coordinator shall:

1. Ensure that DPO education coordinators meet with adult education providers in their supervision areas on an ongoing basis, develop detailed written procedures for referral, enrollment, and tracking of offenders, distribute the written procedures to DPO staff, and provide training. The region education coordinator and Education Project COPE Program Supervisor III, Specialized Programs, shall receive a copy of the procedures for review and approval.
2. Meet with the adult education providers to:
 - a. Assist in resource development and outreach activities in order to expand services for the offender in the region.
 - b. Provide DPO contact updates.
 - c. Provide training as needed.
3. Assist the DPO education coordinator in developing more efficient procedures with the adult education providers when the written referral, enrollment, and tracking procedures reveal deficiencies.
4. Ensure that the DPO education coordinators meet with adult education providers to select education sites for offender referrals.
 - a. The TEA service provider shall provide staff with a listing of education sites and class schedules and shall provide training.
 - b. The region education coordinator shall receive a copy of the education sites and class schedules for review and approval, and assist the DPO education coordinators with this listing as necessary.
5. Participate in and/or verify that meetings are held, as needed, between the DPO education coordinators and adult education providers to encourage open communication and joint problem-solving.
6. Monitor the Project COPE operation in each DPO and review adherence to policies and procedures as needed. The region education coordinator shall address questions or problems that arise regarding the performance of a DPO education coordinator or a PD staff member through the region's chain of command.

C. The DPO Education Coordinator shall:

1. Contact the adult education providers in the supervision area and develop policies and procedures regarding referral, enrollment, and tracking of offenders, receive all related supporting documentation, distribute procedures to field staff, and provide training.

Procedures may vary according to differences in the adult education provider used and in the demographic and geographic area served (e.g., urban areas vs. rural areas).

2. Distribute the written procedures to the region education coordinator, Project COPE Education Program Supervisor Specialist III, Specialized Programs, and appropriate DPO staff, and shall provide training.
3. The DPO education coordinator shall meet with the adult education providers to:
 - a. Select education sites for offender referrals, develop a listing of the education sites and class schedules, and establish a method of maintaining a waiting list;
 - b. Distribute the TDCJ-PD Project COPE Referral and Enrollment Form (PSV-86) to adult education providers or to their designated education sites;
 - c. Discuss and resolve problems concerning referrals and tracking, increasing referrals and enrollments, and developing ideas to maximize offender involvement in education; and
 - d. Request that adult education providers make presentations to DPO staff concerning services they offer.
4. Attempt to secure adult education services from the following entities:
 - a. Public school districts;
 - b. County board of education;
 - c. Region education service centers;
 - d. Public colleges and universities;
 - e. Volunteer literacy organizations;
 - f. Other community-based education or literacy organizations (e.g., public libraries or county literacy councils);
 - g. TEA-funded adult education providers, which can be one or more of the above resources;
 - h. Texas Workforce Commission (TWC) Workforce Development Center computerized adult basic education centers, if applicable; or
 - i. Local probation office computerized adult literacy labs, if available.

5. Review and provide Project COPE updates (status, developments, problems, etc.) during regularly scheduled DPO unit and/or staff meetings at least once each quarter, and to ensure DPO staff receive copies of all changes on procedures, policies or other updates regarding Project COPE or adult education, as received from Specialized Programs or an adult education provider.
6. Instruct, assist, and encourage the DPO staff regarding adherence to the Project COPE policies and procedures in this manual. Repeated errors by staff shall be reported to the assigned unit supervisor and region education coordinator for appropriate action.
7. Schedule offender group orientation activities, assessments, and/or enrollment processing with adult education providers at a DPO. The advantages of group orientation and processing are timesaving, increased enrollments, and provider control regarding the number of offender assessments and assignments to education sites.
8. Collaborate with the adult education providers and the Texas Workforce Centers (TWC) to develop and use community resources that may assist and encourage offenders to attain educational and employment goals. Community resources include, but are not limited to:
 - a. Computerized adult basic education courses at area TWC
 - b. Low-cost or free medical and counseling services
 - c. Food, clothing and housing resources
 - d. Transportation resources
 - e. Academic and vocation education grants
9. Contact the Region education coordinator and Project COPE Education Program Supervisor III, Specialized Programs, for assistance when a waiting list develops and additional education providers cannot be located.

VII. OIMS DOCUMENTATION

- A. The parole officer shall ensure proper entries within the Program Referral screen (Referral, Attendance, Cost, Treatment reports, Team Meeting) are made in the OIMS within three (3) business days of the offender program referral.
- B. The parole officer shall document educational progress, adult education program completion, and program termination in the OIMS.
 1. The adult education providers shall report educational progress, program completion, and program termination on standard adult education provider reports or the TDCJ-PD Monthly Educational Attendance Verification Report (PSV-88).

Adult education providers shall provide reports to the DPO Educational Coordinators for distribution to the supervising officer.

2. If a parole officer receives the enrollment or progress data directly from the education site instructor, the parole officer shall provide a copy to the DPO Education Coordinator. The DPO Education Coordinator will utilize the attendance verification to complete monthly statistics.
- C. Special Conditions “E” and “O.02” shall be satisfied when the supervising parole officer has received written documentation from the education provider stating the offender has acquired the assessed education objectives. The appropriate Program Referral shall be updated and closed.

VIII. INCENTIVES FOR OFFENDER PARTICIPATION IN COPE

The Region Director may approve incentives for educational participation. Incentive instructions and guidelines shall be written and distributed to all region and DPO staff, and to the Specialized Programs Director, the education program specialist, and to the adult education provider. Successful incentive programs shall be shared with other offices, regions, and agencies to enhance adult student retention in education programs.

IX. SITE SELECTION AND DEVELOPMENT

- A. TDCJ-PD Region and DPO Education Coordinators shall consider the following when assisting adult education providers in choosing or developing education sites for services to offenders:
1. Choose sites easily accessible to offenders, such as sites on or near public transportation routes, near the DPO, or in areas where several offenders reside;
 2. Choose sites that offer the most security or least likely contact with juveniles;
 3. Suggest that the adult education providers designate sites for offender testing and assessment so that the providers can coordinate offender assignments to education sites. This type of referral, assessment, and enrollment strategy may provide the adult education providers and the TDCJ-PD more administrative control over referrals and enrollments and an efficient, inexpensive opportunity for the exchange of documentation;
 4. DPOs and District Reentry Centers (DRCs) with adequate space may be used as adult education sites with the approval of the Region Director; and
 5. The adult education provider’s final decision regarding selection of an education site for offenders is necessary.

- B. In counties where limited or no education sites receiving TEA funding exist, the DPO Education Coordinator and supervising parole officer shall seek assistance from the nearest adult education provider, the local school district, and CSCDs regarding identification of other community-based educational resources, such as volunteer literacy programs.

X. STATISTICAL REPORTING

- A. The DPO education coordinator shall complete the TDCJ-PD Project COPE Monthly Statistical Summary (PSV-87) for the appropriate DPO location and send it to the region education coordinator.
- B. The region education coordinator shall provide Region Project COPE Monthly Statistical Report via Lotus Notes to the Project Cope Program Supervisor, Specialized Programs, by the **fifth (5th) business of each month.**
- C. The adult education providers shall report educational progress, program completion, and program termination on the TDCJ-PD Monthly Educational Attendance Verification Report (PSV-88). Adult education providers shall provide reports to the DPO Education Coordinators for distribution to supervising officers.
- D. The region education coordinator shall review the TDCJ-PD Project COPE Monthly Statistical Summary (PSV-87) submitted by each DPO Education Coordinator and shall address the following issues:
 - 1. The number of offenders referred, enrolled, and terminated in the prior report month, if referral, enrollment, and/or termination numbers show to be an area of concern; and
 - 2. Request additional classes, if a waiting list develops and continues to grow. If the current provider cannot offer additional resources, the Region Education Coordinator shall contact the Project Cope Program Supervisor, Specialized Programs for additional assistance in locating adult education providers.

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