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| Chapter: Rules for State-Operated Programs and Facilities                                     | <b>Effective Date: 9/1/19</b>   |
| Subchapter: Program Services  | Page: 1 of 2                    |
| Division: Education Programs  | Replaces: GAP.380.9141, 4/15/15 |
| <b>Rule: Education Administration</b>   |                                 |
| Statutes: Human Resources Code §242.003, §242.051<br>Education Code, Chapter 30, Subchapter E |                                 |

**RULE**

(a) **Purpose.**

This rule establishes basic requirements for providing educational and vocational services consistent with applicable federal and state laws and the educational needs of Texas Juvenile Justice Department (TJJD) youth.

(b) **Orientation and Assessment Units.**

- (1) Upon admission to a TJJD orientation and assessment unit, each youth's educational needs are assessed and the youth's education records are requested from previously attended schools.
- (2) An individual case plan is developed for each youth in accordance with [§380.8701 of this title](#). The case plan includes academic and vocational objectives.

(c) **High-Restriction Facilities.**

This subsection applies only to high-restriction facilities with TJJD-operated educational programs.

- (1) TJJD operates schools as provided for in [Sections 242.003](#) and [242.051, Human Resources Code](#), as well as [Chapter 30, Subchapter E, Education Code](#).
- (2) TJJD educational programs comply with applicable federal and state requirements.
- (3) TJJD provides competency-based instruction, educational counseling, and vocational counseling to youth.
- (4) The school calendar is established annually by the TJJD Education Division and is approved by the executive director.
- (5) Teaching schedules for each teacher include a preparation period of at least 45 minutes for a minimum of four days per week.
- (6) Each school offers all credits necessary to meet high school graduation requirements following the state curriculum and administers state assessments required for graduation. As needed, youth are scheduled for special education, remedial education, English as a second language, and career and technology education courses. Youth who complete all Texas Education Agency (TEA) requirements for high school graduation while enrolled in a TJJD school will graduate from the TJJD school.
- (7) Preparation classes and testing are available to all age-appropriate youth who express an interest in obtaining a certificate of high school equivalency.
- (8) A four-year diploma plan is developed and revised at least annually for each youth who is 14 years of age or older and has not completed a high school diploma. An appropriate education plan is developed for each youth under 14 years of age and for each youth who has already obtained a high school diploma or equivalent.

- (9) Youth who have received a high school diploma or equivalent are required to participate in educational programming, which may consist of college classes and/or vocational training. Youth who have obtained a certificate of high school equivalency may also continue to take high school classes.
- (10) Youth have the opportunity to receive credit from courses offered by TJJJ schools and from post-secondary courses.
- (11) Student mastery of state curriculum requirements for high school credits is documented and retained in student education files for verification of course completion.
- (12) Schools provide library services and materials for youth in accordance with [§380.9151 of this title](#).
- (13) Schools use available federal funds to provide vocational instruction/training and required special education services not otherwise available at the facility.
- (14) Youth must complete:
  - (A) progress tests on designated dates to determine their improvement since completing admission testing; and
  - (B) required reading and math assessments prior to release.
- (15) A youth's participation in the education program, the reading improvement program, and the positive behavior support system are considered in decisions regarding the youth's privileges and progress toward release. See [§380.9155 of this title](#) for more information on the reading improvement program and positive behavior support system.

(d) **Medium-Restriction Facilities.**

This subsection applies only to TJJJ youth placed in TJJJ-operated medium-restriction facilities.

- (1) Medium-restriction facilities and local school districts are required to follow [19 TAC §89.1115](#), concerning the provision of public school services to TJJJ youth, in addition to any memorandum of understanding entered into between TJJJ and the local school district.
- (2) TJJJ shares educational assessment information with the serving school in the community.
- (3) TJJJ confers with school officials to advocate for appropriate academic and vocational course assignments for TJJJ youth.
- (4) Daily study time and tutorial assistance are provided to youth.
- (5) A youth's educational participation is considered in decisions regarding the youth's privileges and progress toward release.

(e) **Parole.**

- (1) Youth who have not received a high school diploma or equivalent are required as a condition of parole to be enrolled in an education or vocational program and attending regularly.
- (2) TJJJ assists paroled youth who have received a high school diploma or equivalent to enroll in a post-secondary training or education program or to obtain full-time employment.