

NEW YORK CITY DEPARTMENT OF EDUCATION
DIVISION OF HUMAN RESOURCES AND TALENT
65 COURT STREET
BROOKLYN, NY 11201

PERSONNEL MEMORANDUM # 3, 2012-2013

September 10, 2012

TO: All Superintendents, Heads of Offices, Principals, Speech Supervisors, CFN Executive Directors, CFN Deputy Cluster Leaders and CFN Human Resources Directors

FROM: Charles Peeples *Charles Peeples*
Executive Director, Field and Information Services
Division of Human Resources and Talent

SUBJECT: Procedures for Additional Compensation for Teachers in Shortage License Areas (Article 7-O, UFT Agreement) for the Fall 2012 Term

This memorandum is to remind you of the necessity to submit applications for additional compensation for teachers in shortage license areas ("In Lieu of Preparation Periods") for the time period of September 4, 2012 through January 31, 2013. This is in accordance with Article 7-O of the Agreement between the Department of Education and the United Federation of Teachers (UFT), which allows the Chancellor to authorize a particular school to permit teachers to provide additional service in lieu of preparation periods in license areas deemed to be shortage areas. Teachers eligible under this provision are those regularly appointed teachers in the shortage license area with a full teaching load as defined in the Agreement.

The applications of such teachers shall be approved in the order of their seniority. If at any reorganization period no regularly licensed and appointed teacher in the shortage area applies to fill an authorized position, then the position may be offered to other teachers in the school in the following order:

CATEGORY	CURRENT STATUS
(1)	Regularly appointed in another license area, with certification in the shortage license area;
(2)	Regularly appointed in another license area, but with experience teaching in the shortage license area.

NOTE: Within each category listed above, the applications of such teachers shall be approved in the order of their seniority.

At the next reorganization, the available assignments, if any, shall be rotated (within each category) by following the same procedure.

SHORTAGE LICENSE AREAS

The Division of Human Resources and Talent has determined there is a shortage of teachers in the following license areas. Requests can be made for these license areas only:

Deaf & Hard of Hearing – Monolingual and Bilingual (In Bilingual, only Spanish)

Limited Vision – Monolingual and Bilingual (In Bilingual, only Spanish)

Bilingual Special Education – (Spanish and Haitian Creole)

Spanish – Junior High & High Schools

Mathematics - Junior High & High Schools

General Science - Junior High Schools

Chemistry and General Science - High Schools

Earth Science and General Science - High Schools

Biology and General Science - High Schools

Physics and General Science - High Schools

Nursing - High Schools

Bilingual Mathematics – Junior High & Day High Schools

Bilingual Sciences - Junior High & Day High Schools

Bilingual Social Studies - Junior High & Day High Schools

English - Junior High & Day High Schools

Physical Education - Junior High & Day High Schools

Special Education

English as a Second Language - Elementary and Secondary

continued

***Speech Improvement** - Monolingual and Bilingual (In Bilingual, only Spanish and Haitian Creole)

***IMPORTANT NOTE REGARDING TEACHERS OF SPEECH IMPROVEMENT:** Only Teachers of Speech Improvement are authorized to provide related services in the area of speech diagnosis and/or therapy. Teachers of Speech are not considered appropriate providers, in accordance with compliance procedures. Pursuant to Personnel Memorandum #17, 1998 - 99, Speech Improvement teachers who filed and received approval for "In Lieu of Preparation Periods" coverage in the Fall (2012) term will not be required to re-apply for the Spring 2013 term. Once approved, they will continue receiving payment for this service through June 2013. However, if the date the assignment terminates is prior to June 30, 2013, it must be indicated on the application. Speech Supervisors must submit applications directly to their CFN HR Director; applications should no longer be sent to the Division of Human Resources and Talent.

It is important to remember that requests to assign teachers to shortage license areas (other than Speech Improvement) to teach in lieu of preparation periods must be made twice during the school year, at the commencement of school in September, and once again prior to the spring term. The applications and **program cards** must be submitted both times, as explained below. Failure to reapply and/or receive prior approval will prevent or delay payment for Spring 2013.

Schools, which are authorized to permit teachers to perform additional service, must inform all eligible staff members of the availability of such service and must select teachers in seniority order. Seniority will be computed in accordance with the excessing rules of the UFT agreement.

Pursuant to the UFT agreement, teachers approved and scheduled to teach in lieu of preparation periods shall be paid at the rate set forth in the agreement per semester as a "special per session payment" if they are scheduled to teach five periods per week.

Teachers who are scheduled and receive approval to teach fewer than five periods per week or who are scheduled to teach less than a full term shall receive a pro-rata "special per session payment".

The decision of the Chancellor not to authorize implementation of these provisions in a shortage license area in a particular school shall be final and not subject to the grievance and arbitration provisions of the Agreement.

APPLICATION PROCESS

- The attached form must be completed in order to request assignment of a teacher for this purpose.
- In all cases, this form is to be approved by the Principal and then forwarded to the CFN HR Director at the Children First Network who is assigned to provide support to the school. They will review and authorize the form as appropriate.
- Speech Supervisors must send applications for teachers of speech improvement directly to the CFN HR Director for approval and forwarding to Payroll. Note: Applications should not be sent to the Division of Human Resources and Talent.
- **Applications for shortage area coverage will no longer be sent to the Division of Human Resources and Talent.** They will be reviewed and approved by the CFN HR Director. The CFN HR Director will provide final authorization and have information on approved applications transmitted directly to the Office of Payroll Administration. Payroll can provide you with a template of the Spreadsheet. The CFN HR Director will review and approve the application. **Note: Applications and backup documentation will be retained on file in the CFN; they should not be faxed to Payroll or to the Division of Human Resources and Talent.**
- Please ensure that copies of all program cards for the following teachers are attached to the duly certified application and maintained at the CFN:
 - All licensed teachers of the subject area, including those with a full program, partial program or compensatory time position.
 - All teachers assigned to teach the shortage license area regardless of license.

(Those teachers in the area of Speech Improvement who do not appear on the regular payroll must indicate the particular payroll status under which they are paid in the appropriate area (#12) of the application. Failure to do so makes the approval and pay processes more difficult to effect in a timely manner.)

COMPLETED APPLICATIONS

Children First Network:

- Completed application packages from Principals and Speech Supervisors must be forwarded to the school's CFN Human Resources Director. .
- Each CFN Human Resources Director is responsible for coordinating approval of "in-lieu of" payments in schools under its jurisdiction. Information for the applications approved by the respective CFN HR Directors should be sent directly to the Office of Payroll Administration. If necessary the Office of Payroll Administration can provide a template of an electronic spreadsheet for submission of the information. Applications and backup documentation should be maintained on file by the CFN; applications must not be faxed or sent to Payroll or the Division of Human Resources and Talent.

Requests may be submitted to the applicable HR contact person on an ongoing basis. However, requests may not be made for payment earlier than the date for which initial approval has been received. Any requests for retroactivity are subject to the specific approval by the CFN HR Director in consultation with the Division of Human Resources.

Approvals of requests to commence service should be received prior to the actual commencement of service.

CHANGES IN “IN-LIEU OF PREP PERIOD” SERVICE

Since the dates and information indicated on the attached form (Items #8-12) will serve as the basis for individuals to receive compensation, if a change occurs resulting in an *increase* in the number of periods per week or *change* in dates, the revised application must be sent for further review/approval to the CFN HR Director.

If a change occurs which results in *fewer* periods per week, notification and the revised application must be sent to the school's CFN HR Director.

For further assistance, please contact your CFN Human Resources contact person. Thank you.

Cc: Lawrence E. Becker, Chief Executive Officer, Human Resources
Vicki Bernstein, Executive Director, Teacher Recruitment and Quality
George Vasiliou, Executive Director, Division of Financial Operations
Francine Perkins-Colon, Chief Administrator, Office of Payroll Administration

**NEW YORK CITY DEPARTMENT OF EDUCATION
DIVISION OF HUMAN RESOURCES**

APPLICATION FOR ADDITIONAL COMPENSATION FOR TEACHERS IN SHORTAGE AREAS

INSTRUCTIONS: Principals: Please complete the information requested below and forward it to your designated Human Resources support person at your CFN. **Speech Supervisors:** Please complete the information below and forward to your CFN HR Director at your CFN.

PLEASE NOTE: INDIVIDUALS SERVING IN ANY SCHOOL MAY NOT COMMENCE SERVICE WITHOUT APPROVAL FROM THE CFN HR DIRECTOR.

1. CFN _____ DISTRICT: _____ BORO: _____ SCHOOL: _____

2. SHORTAGE LICENSE AREA: _____

3. REQUESTED TEACHER'S NAME: _____

4. LICENSE APPOINTED UNDER: _____

5. FILE NO/EIS ID #: _____ 6. EMPLOYEE ID # _____

7. CATEGORY UNDER WHICH ASSIGNED: (SEE PAGE 1 OF PERSONNEL MEMORANDUM FOR LISTINGS - if not regularly appointed in the license area).
CATEGORY 1 _____ CATEGORY 2 _____

8. NUMBER OF PERIODS PER WEEK THAT THE EMPLOYEE WORKS: _____

9. DURATION OF ASSIGNMENT: FULL TERM [] NOT FULL TERM []

10. DATE ASSIGNMENT COMMENCES: _____

11. DATE ASSIGNMENT TERMINATES: _____

12. PAYROLL STATUS: _____

CERTIFICATION OF PRINCIPAL: I certify that I am unable to fill a vacancy which exists in the license area listed above. The employee named above has a full teaching program as defined in the agreement. This assignment will not cause an excessing condition in this school. I will accept the assignment of a qualified teacher licensed in this shortage area where available from the CFN HR Director, or Division of Human Resources. **The employee named above has been assigned in accordance with Category # _____ listed above.**

SIGNATURE OF PRINCIPAL / SPEECH SUPERVISOR

DATE

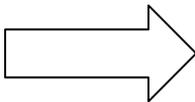
FOR CERTIFICATION BY CFN HR DIRECTOR: I have reviewed this application and grant final approval in accordance with the criteria contained in Personnel Memorandum #1 , 2010-2011 for the assignment of the requested teacher named in # 3 above. Information on approved applications will be sent by the CFN HR Director directly to the Office of Payroll Administration/Pedagogical Compensation via electronic spreadsheet. A copy of this application will be retained on file in the CFN Operation Center.

[] APPROVED

[] NOT APPROVED

CFN HR DIRECTOR/Review/Authorization

DATE



CFN HR Director: After review, a copy of the form/backup documentation to be maintained on file in the CFN
CFN HR Director: Review/Transmit information on all approved In-Lieu-of-Prep Period Applications to Office of Payroll Administration using electronic spreadsheet provided.
Note: The Division of Human Resources and Talent will audit additional compensation granted for in-lieu of prep period coverage and will recommend action as warranted.

NOTE: Teachers approved for additional compensation for service in lieu of preparation periods will receive compensation from the date the assignment commences through the termination date of the assignment. In the event that any teacher who has received approval does not actually commence service in this assignment or terminates the assignment prior to the proposed date indicated above, it is the responsibility of the Principal to notify, in writing, the Office of Pedagogic Compensation in the Division of Financial Operations. DHRT In Lieu Of Prep Period – September 10, 2012