

Frequently Asked Questions
DOE Personnel Applying for Waiver
To Provide Related Services as an Independent Provider pursuant to the Waiver
Granted by the Conflicts of Interest Board

- Q. Are there any exceptions for personnel to provide related services as an independent provider in the geographic district to which they are regularly assigned?
- R. Personnel may not provide related services as an independent provider in the geographic district (including District 75 schools and high schools) to which they are regularly assigned. There is, however, one exception. To increase the candidate pool in Staten Island:
- Personnel assigned to regional programs in Staten Island (District 31 and Staten Island High Schools) may provide services as an independent provider for students attending District 75 schools on Staten Island.
 - Personnel assigned to D75 schools in Staten Island may provide services as an independent provider for students in regional programs on Staten Island (District 31 and Staten Island High Schools).
- Q. Can services be provided at DOE school sites?
- R. No. Services must be provided outside of the regular school day and outside of any DOE facility. Services performed at a DOE facility may only be performed as per session (overtime) work and reimbursed at the per session (overtime) rate of pay.
- Q. Will pay as an independent provider be included in my regular DOE paychecks?
- R. No. Payment for independent services must be invoiced to the Central Business Office and will be paid separately as per the RSA billing procedures. You will receive these procedures from the Regional CSE that approves you to provide services to any individual student. You will receive a federal form 1099 for RSA services provided. You may want to seek the advice of your accountant or tax advisor regarding tax liabilities based upon this income. RSA payments are not pensionable.
- Q. Am I required to maintain Attendance or Student Progress Reports?
- R. Yes. The provider is required to maintain daily attendance records in DOE Attendance booklets and submit them on a monthly basis. Progress reports must be submitted annually.
- Q. Why is the supervisor's approval required on my application?
- R. In order to be eligible to do work pursuant to the waiver granted by the Conflicts of Interest Board you may not have refused any shortage area prep or per session (overtime) work that was offered to you during the course of this school year and must have received satisfactory ratings. The supervisor is aware of the applicant's rating and in the best position to know if the applicant has refused shortage area prep or per session (overtime) work.

- Q. Will my personal information be made public?
- R. It should be understood that upon application and approval as an independent related service provider, your name and the address and telephone number provided on your application will be listed in a Registry of Providers in hard copy and on the DOE website. This information may also be provided directly to parents by DOE personnel at Regional CSEs and Central Headquarters who assist parents in obtaining RSA providers.
- Q. If I currently provide early intervention services with an independent agency, may I continue to work with the agency? Can I also provide services for school-age students with the same agency?
- R. Applying for and being approved to do work pursuant to the waiver granted by the Conflicts of Interest Board to provide independent services to school-age students does not affect your ability to provide early intervention (EI) services with a contracted agency. The waiver does not permit you, however, to provide school-age services through the same or any other agency.
- Q. May I provide services under the auspices of an agency under contract with the DOE or agency not under contract with the DOE with this waiver?
- R. No. You may not provide services to school-age students through an agency under any circumstances. You also may not create your own agency, subcontract any service or otherwise advertise your services outside of the DOE Registry. You may not, under any circumstances, accept any payment whatsoever directly from the parent.
- Q. What do I do if I am selected as an independent provider by a parent?
- R. You and the parent must complete the RSA-2 Form, then both of you must sign the form and attach a copy of your license or certificate. Please be advised that only the independent provider listed on the RSA-2 Form may provide service to the student. The completed RSA-2 Form must be submitted for approval to the regional CSE RSA Liaison that issued the RSA.
- Q. Who can I speak with regarding any issues regarding selection, payment, IEPs, attendance, progress reports, etc?
- R. Once your waiver application is approved by your supervisor you will be included in the DOE Registry of available providers. Once you are included in the Registry all contact should be with the Regional CSE who issued the RSA to the parent. Each CSE has one or more representatives who work on a regular basis on RSAs. The parent should provide you a copy of the IEP but, in its absence, the CSE can provide the IEP to you.
- Q. What if the Related Service becomes available by DOE regular daytime personnel?
- R. Should this service become available by regular DOE personnel before the student begins receiving it from an independent provider, DOE will provide the service. If, however, the student begins receiving this service from an independent provider, the parent has the option of continuing this service with the independent provider through the end of the school year.