

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

PERSONNEL MEMORANDUM # 1, 2009-2010

September 8, 2009

**TO:** All Superintendents, Heads of Offices, Principals, Speech Supervisors, ISC and CFN Executive Directors, ISC Deputy Executive Directors – Business Services, ISC Human Resources Deputy Directors, CFN Human Resources Directors

**FROM:** Gary Barton *Gary Barton*  
Executive Director, Field and Information Services  
Division of Human Resources

**SUBJECT:** Procedures for Additional Compensation for Teachers in Shortage License Areas (Article 7-O, UFT Agreement) for the Fall 2009 Term

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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 8, 2009 through January 31, 2010. 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 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

**Reading** - Day Schools

## Special Education

### English as a Second Language - Elementary and Secondary

**\*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 (2009) term will not be required to re-apply for the Spring (2010) term. Once approved, they will continue receiving payment for this service through June 2010. However, if the date the assignment terminates is prior to June 30, 2010, it must be indicated on the application. Speech Supervisors must submit applications directly to their ISC HR Deputy Director or CFN HR Director; applications should no longer be sent to the Division of Human Resources.

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 2010

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 Human Resources Partner at the Integrated Service Center or the 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 ISC Human Resources Deputy Director or CFN HR Director for approval and forwarding to Payroll. Note: Applications should not be sent to the Division of Human Resources.
- **Applications for shortage area coverage will no longer be sent to the Division of Human Resources.** They will be reviewed and approved by the HR Partner at the ISC or the CFN HR Director. The ISC HR Partner will submit to the ISC HR Deputy Director who will provide final authorization and have information on approved applications transmitted directly to the Office of Payroll Administration via the electronic spreadsheet provided. The CFN HR Director will review and approve the application. **Note: Applications and backup documentation will be retained on file in the ISC or CFN; they should not be faxed to Payroll or to the Division of Human Resources.**
- Please ensure that copies of all program cards for the following teachers are attached to the duly certified application and maintained at the ISC or 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**

#### **Integrated Service Center:**

- Completed application packages from Principals must be forwarded to the school's Human Resources Partner in the Integrated Service Center.
- Speech Supervisors should forward applications directly to their Human Resources Deputy Director at the Integrated Service Center.
- ISC: Each Human Resources Partner is responsible for coordinating approval of "in-lieu of" payments in schools under its jurisdiction. Information for the applications approved by the respective ISC's HR Partner will be given to the ISC HR Deputy Director for final authorization. The HR Deputy Director will submit information on approved applications directly to the Office of Payroll Administration using the electronic spreadsheet provided. Applications and backup documentation should be maintained on file in the ISC; applications must not be faxed or sent to Payroll or the Division of Human Resources.

#### **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 will be directly to the Office of Payroll Administration using the electronic spreadsheet provided. 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.

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 HR Deputy Director or 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 Human Resources Partner.

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

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

Cc: Lawrence E. Becker, Chief Executive, HR  
Judith Hederman, Payroll Administrator, Office of Payroll Administration

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**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 ISC or CFN. **Speech Supervisors:** Please complete the information below and forward to your HR Deputy Director at your ISC or CFN HR Director.

**PLEASE NOTE: INDIVIDUALS SERVING IN ANY SCHOOL MAY NOT COMMENCE SERVICE WITHOUT APPROVAL FROM THE ISC HR DEPUTY DIRECTOR/ HR PARTNER OR CFN HR DIRECTOR.**

1. ISC/CFN \_\_\_\_\_ DISTRICT: \_\_\_\_\_ BORO: \_\_\_\_\_ SCHOOL: \_\_\_\_\_

2. SHORTAGE LICENSE AREA: \_\_\_\_\_

3. REQUESTED TEACHER'S NAME: \_\_\_\_\_

4. LICENSE APPOINTED UNDER: \_\_\_\_\_

5. FILE NO: \_\_\_\_\_ 6. SOCIAL SECURITY NUMBER \_\_\_\_\_

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. TYPE OF ASSIGNMENT:  
 FULL TIME       LESS THAN FULL TIME: \_\_\_\_\_ Indicate # of periods per week

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 ISC HR Partner/H Deputy Director, 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

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**FOR CERTIFICATION BY ISC HR PARTNER/HR DEPUTY DIRECTOR OR CFN HR DIRECTOR:** I have reviewed this application and grant final approval in accordance with the criteria contained in Personnel Memorandum # 1 , 2009-2010 for the assignment of the requested teacher named in # 3 above. Information on approved applications will be sent by the ISC HR Deputy Director or 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 ISC/CFN Operation Center.

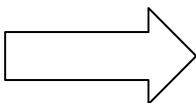
APPROVED       NOT APPROVED

\_\_\_\_\_  
HUMAN RESOURCES PARTNER'S REVIEW/APPROVAL

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ISC HR DEPUTY DIRECTOR/Initial/Authorization  
CFN HR DIRECTOR/Review/Authorization

\_\_\_\_\_  
DATE



**ISC HR Partner:** After review, a copy of the form/backup documentation to be maintained on file in the ISC.  
**ISC HR Deputy Director/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** will audit additional compensation granted for in-lieu of prep period coverage and will recommend action as warranted.

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**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. DHR In Lieu Of Prep Period –September 8, 2009