



THE NEW YORK CITY DEPARTMENT OF EDUCATION
JOEL I. KLEIN, *Chancellor*

OFFICE OF THE DEPUTY CHANCELLOR FOR TEACHING AND LEARNING
52 Chambers Street, Room 320 · New York, NY 10007

September 2006

Dear Colleague:

As you may be aware, the NYC Department of Education (DOE) uses a three-step system in order to maximize its capacity for providing special education related services to school age students mandated to receive them. First, the DOE utilizes the services of DOE personnel during regular work hours, during their preparation periods for specific teacher titles (“shortage area prep”) and during per session/overtime work after regular business hours. Second, upon the unavailability of regular DOE personnel, the DOE utilizes agencies under contract to provide these services.

Finally, upon the unavailability of regular DOE personnel and contract agencies, parents are issued a Related Service Authorization (RSA), authorizing them to obtain these services from an eligible non-DOE provider (independent provider) at public expense.

In an effort to broaden the pool of available related service providers in chronic shortage areas, DOE recently made a formal request to the New York City Conflicts of Interest Board (COIB) for a limited waiver (with restrictions) so that regular DOE employees providing special education related services in shortage areas can also work as independent providers in the areas of Speech Therapy, Occupational Therapy, Physical Therapy, Bilingual Counseling, Vision Education Services and Hearing Education Services. We are pleased to report that COIB has approved our request.

This waiver represents a major step forward in our effort to increase our ability to provide special education related services to students with special needs. We also have initiatives to increase capacity by recruiting, providing scholarships, maintaining incentive programs, providing per session and “shortage area prep” to current personnel and letting contracts to private providers. Until the recent approval of this waiver, Department personnel who were willing to provide services to students at the student’s home after regular business hours under the RSA process were not permitted to do so because of the Conflicts of Interest provisions contained in the City Charter.

Department of Education personnel in the aforementioned areas interested in providing services under the RSA must request and receive approval to provide these services as an independent provider, and then follow Related Service Authorization (RSA) procedures identical to all other independent providers [including signing a standard RSA agreement (i.e. RSA 2 Form) for each student with the DOE] with the following limitations:

- DOE personnel may only be hired and paid as individual independent providers according to the published RSA rate table and may not provide services as a member or employee of any other contracted or independent agency.
- DOE personnel must have the approval of his/her supervisor who must attest to the fact that the employee has not refused per session/overtime and “shortage area prep” service opportunities offered for the provision of services.
- DOE personnel may not provide related services as an independent provider under the RSA to students in the schools or geographic districts to which they are assigned. District 75 staff may not serve students in their school or students in the geographic district where the D75 school is located.
- DOE personnel may not provide related services as an independent provider under the RSA at DOE facilities. Any work performed at DOE facilities will be done as “per session” work.
- DOE personnel providing related services as an independent provider under the RSA are limited to a total of 10 hours of service per week.
- The Department will maintain a separate registry of DOE personnel who have applied and have been approved for work as an independent provider under the RSA, which will be available through the Department website and through the Office of Related and Contractual Services to parents who have been issued an RSA. DOE personnel may not solicit work as an independent provider through any other means.

DOE personnel must meet minimum New York State Education Department (NYSED) requirements to provide the relevant services as an independent provider and be actively employed in one of the related service areas. Please note that to qualify as an independent provider of Speech Therapy, personnel must hold a NYSED license in Speech/Language Pathology in addition to certification as a Teacher of Speech and the Hearing Handicapped. The Teacher of Speech and the Hearing Handicapped certification alone is insufficient to work as an independent provider.

Evidence of bilingual proficiency must be submitted in order to be listed as a bilingual independent service provider. The following certifications/licenses are acceptable:

- DOE Teacher of Foreign Languages;
- NYSED certificate as a Teacher of a Foreign Language;
- Passing the Language Proficiency Assessment;
- NYSED Bilingual Extension Certificate.

Reports of language proficiency formerly conducted by colleges or universities are no longer acceptable.

Related Service	Maximum Rate	Session Length	Minimum Requirement
Occupational Therapy	\$45	30 minutes	Current NYSED professional license as an Occupational Therapist
Physical Therapy	\$45	30 minutes	Current NYSED professional license as a Physical Therapist
Speech Therapy	\$45	30 minutes	Current NYSED professional license as a Speech/Language Pathologist and certificate for Teacher of Speech and Hearing Handicapped
Bilingual Counseling (Guidance Counselor/Psychologist School Psychologist)	\$45	30 minutes	Permanent NYSED certificate as a Guidance Counselor or School Psychologist or professional license as Psychologist. Required bilingual credential.
Bilingual Counseling (Social Worker/School Social Worker)	\$40	30 minutes	Permanent NYSED certificate as a Social Worker or professional license as a Social Worker. Required bilingual credential.
Vision Education Services	\$45	30 minutes	Permanent NYSED certificate of Blind/Partially Sighted
Hearing Education Services	\$45	30 minutes	Permanent NYSED certificate in Deaf/Hearing Impaired or Speech and Hearing Handicapped

Please find enclosed a form requesting approval for you to be listed on the registry. The completed form with requisite signatures and attachments must be submitted to the NYC Department of Education, Office of Related and Contractual Services, 52 Chambers Street Rm. 218, New York, NY 10007, Attn. Rita Venekas, (212) 374-1081.

The DOE will review your application and place you on the registry of DOE providers eligible to provide these services, if appropriate. Through the registry, parents in geographical districts other than the one in which you currently work will be able to access you to provide these services for this school year. You and the parent will submit the invoked RSA to the regional office that issued the authorization. The regional office, upon approval of the RSA will provide you with related service attendance booklets for you to submit attendance and progress notes and invoicing materials, etc. for payment purposes. RSA approval is for the current school year only and for the frequency, duration and language indicated on the IEP.

Please be advised that once listed on the central registry, all issues pertaining to approving the RSA, providing services, attendance, progress notes, invoicing and payment must be handled through the regional office that issued the RSA originally. Under no circumstances may a DOE employee approved as an independent related service provider solicit work through advertisement, etc. or accept payment of any kind directly from the parent.

I trust that you share our excitement regarding the prospects of significantly increasing our capacity to provide timely, high quality special education related services to students who need them to succeed in school. I invite you to submit the enclosed application in order to be considered for inclusion on the registry. If you have questions, please contact the Office of Special Education Initiatives at (212) 374-6085. Thank you.

Sincerely,

Carmen Fariña

Carmen Fariña
Deputy Chancellor
For Teaching and Learning

CF:jc

Enclosure

c: Joel I. Klein
Regional Superintendents
Michelle Cahill
Kathleen Grimm
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