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MEMORANDUM

April 29, 2008

**TO: District Superintendents
Deputy Executive Directors, Special Education**

FROM: Vincent W. Clark
Chief Executive Officer, Integrated Service Center

**SUBJECT: School Psychologist, School Social Worker Allocations and Clustering
Activities for Spring, 2008**

Recently, a joint Department of Education/UFT Allocation Committee met to review data and make recommendations for School Psychologist and School Social Worker allocations for the 2008-2009 school year. In addition to reviewing workload data, the committee addressed the utilization of staff in intervention/prevention activities. Based upon the data, NYCDOE has determined that the allocation of school psychologists and school social workers to some districts will change in order to reflect changing school evaluation caseloads. In order to maintain continuity, however, the gain or loss of school psychologists and school social workers in any district will be capped at two in each title.

There may be other organizational changes and local conditions that necessitate the review and possible amendment of clusters. To that end, all districts and former high school superintendencies are required to conduct and complete the following clustering activities according to the enclosed activity calendar.

- electing a Deployment Advisory Committee/training new members;
- reviewing referral data, holding a clustering meeting(s);
- issuing a CSE Team posting for School Psychologists, School Social Workers and a posting for special education teachers assigned at the CSE;
- conducting retention activities and then filling remaining vacancies through the Open Market Transfer System (OMTS) selection for School Psychologists and School Social Workers.

A Deployment Advisory Committee for each community school district and former high school superintendency will then recommend a pattern of service to the current District Superintendent that maintains continuity of service as much as possible and maximizes the ability to achieve compliance within the allocation of staff provided. The deliberations of Deployment Advisory Committees should be concluded in one day if a review of the data does not reveal a compelling need to change clusters. The Superintendent will grant final approval of deployment plans after consultation with the UFT functional chapter leader. The superintendent is the final authority on issues pertaining to the development of clusters and in assuring that clustering rules are followed.

A Deployment Advisory Committee shall be convened for each of the former high school superintendencies. This will require some coordination among ISC personnel since high schools formerly in a single superintendency may be distributed among two or more ISCs. ISC personnel should communicate immediately regarding the election of a committee and the designation of a location for the clustering process for each of the former high school superintendencies.

Please find enclosed guidelines and a calendar for the clustering, CSE Team selection and cluster retention/open market hiring phases of this process. Also included in this mailing is your region's CSE Team and school based School Psychologist, School Social Worker allocations for school year 2008-2009. Three year and year to date referral data is available directly on RMDS as report number DSEB6150.R1. Questions regarding data may be addressed to Peggy Banys at (212) 374-2463. Questions regarding the clustering process may be addressed to Joe Coccaro at (212) 274-2348. Thank you.

VWC:LW:jc

Enclosures

c: Kathleen Grimm
Marcia V. Lyles
Marlene Siegel
Mariano Guzman
Robert Wilson
Yvonne Torres
Lou Aiani
Linda Wernikoff

SCHOOL PSYCHOLOGIST AND SCHOOL SOCIAL WORKER CLUSTERING GUIDELINES

The activities described are intended to give some flexibility of assignment while maintaining consistency of service and assisting in coverage of school sites by a stipulated number of School Psychologists and School Social Workers throughout the City.

CLUSTERING

The following procedures and timelines are designed to facilitate the review of the pattern of service for the 2008-2009 school year in all districts and former high school superintendencies in each ISC.

- The Deputy Executive Director, Special Education in each ISC shall ensure that advisory committees of assessment staff and administrative/supervisory personnel are established in order to review the school psychologist and school social worker pattern of service for the coming school year. School Psychologists and School Social Workers in each Community School District will select four representatives, two from each discipline for the Deployment Advisory Committees (DAC). Each discipline will be represented by one monolingual and one bilingual staff member. The ISC may assign up to three supervisory personnel to the committee. Individuals who are on sabbatical must be notified of the meeting and are entitled to vote, if they are present for the meeting.

Respective Deputy Executive Directors must ensure coordination of clustering activities in former high school superintendencies where high schools may now be distributed to two ISC's (Basis and Brooklyn). High School DAC's crossing ISC lines should be represented minimally by a school psychologist, school social worker and a supervisory designee from each ISC represented.

- The bilingual staff member elected must be working full time in the district under a bilingual credential in a language allocated to the district. Only School Psychologists and School Social Workers currently on school assignment are eligible to serve. Time should be set aside for staff to meet, by discipline, to conduct their own election. Both monolingual and bilingual staff will be elected by and represent all the members of their discipline.
- The size of the DAC should be workable so that recommendations can be made and cluster assignment plans can be developed efficiently and effectively through a consensus process. Administration may invite other knowledgeable supervisory personnel (e.g., Supervisor of Psychologists, Administration and Operations Manager, Administration and Operations Specialist, CSE Chairperson, etc.) to join the advisory committees, which should not exceed seven (7) members except perhaps in several high school superintendencies that cross ISC locations.
- The Committees will meet at locations designated by the Deputy Executive Director in their respective ISC's (see calendar) to review the clustering of the schools in their school districts and high school superintendencies. The DAC will review and if necessary develop new recommendations for deployment of staff to school assignments. Stability

of clusters should be a primary consideration. Recommendations for change require a written explanation to the appropriate Superintendent indicating how the workload projection was developed and the rationale used for the change.

- It is anticipated that the workload due to referrals of non-public, private, parochial and charter school students will be completed by CSE Teams. None of these cases, therefore, may be included in the school team clusters. Turning five, non-attending and suspension cases will be done by the assessors at the home-zoned school or the school likely to be the student's school.
- Please note that two years ago, high school clusters were reviewed and reclustered if necessary so that all high school clusters are comprised of schools reporting to a single Region. Again, each HS cluster should be comprised only of high schools reporting to a single ISC.

The DAC may recommend changes in clusters and justify changes in writing if:

There was an approved permanent redeployment during the year that should be confirmed.

There were twenty (20) or more days of documented temporary redeployments through March of the current school year into or out of a particular school due to caseload factors. (Do not include temporary redeployments to cover staff absences.)

There were changes or changes are anticipated in the number of special education classes in the school that will significantly affect the anticipated workload.

There was an opening or closing of a school or one is anticipated.

There is a substantial change in bilingual caseload in schools within the district and changing the clustering will allow for a significant number of additional bilingual cases to be incorporated in the cluster. For example, in a paired cluster with a total caseload of 50 bilingual cases, one school has a decrease in bilingual workload. Another school in the district that was not previously designated bilingual has had an increase in bilingual workload so that clustering it with the second school in the bilingual cluster will now account for a total of 75 bilingual cases. A change such as this should only be made where it increases the bilingual caseload of a cluster significantly (i.e., 50%) and the total number of bilingual cases is at least twenty (20).

Where changes are required because of any of these reasons, they should be made in a manner that attempts to minimize the numbers of clusters affected. If a change in clusters is required, the DAC should consider the following variables: geographic factors (e.g., proximity); presence of Citywide Programs in Community School District/High School buildings; nature of the work environment in paired schools (space facilities and administrative support); distribution of initials, triennials, re-evaluations at each site; accessibility of site. If a change is necessary, the committee should adjust the cluster in a manner which, to the maximum extent possible, makes staff less itinerant.

The DAC will review Child Assistance Program (CAP) referral data provided and decide whether it accurately reflects the caseload for the schools. They may also call school staff to verify school data and consult CSE logs. School staff may also provide information regarding ongoing intervention/prevention activities in their schools. Each ISC should provide information on temporary and permanent redeployments during the first seven (7) months of this school year.

To the maximum extent possible, it is the aim of the activity to assign staff to one school, to clusters of two schools, or to a cluster of programs in Alternative High Schools, with the expectation that this will be their sole assignment for the school year.

The DAC will designate as bilingual a number of clusters equal to their full bilingual allocation. Clusters designated predominately bilingual should reflect a significant workload of bilingual referrals for that district. The bilingual clusters will be rank ordered by the committee based on their bilingual caseload. The rank ordering will be used in recruitment.

The recommendations of the DAC will be forwarded to the ISC and Superintendent's office for review and decision. The deployment plans will be reviewed and the final decision will be made by the Superintendent after consultation with the UFT Functional Chapter Leader for School Psychologists and School Social Workers. A copy of the final pattern of service (clusters) will be sent to the Functional Chapter Leader. The Superintendent is the final authority in matters pertaining to the development of clusters.

RETENTION/OPEN MARKET Transfer System

All School Psychologists and School Social Workers who have received a cluster assignment through the clustering process may opt to retain their clusters. School Psychologists and School Social Workers who do not have retention to a cluster assignment or wish to change their cluster assignment must apply for open clusters through the Open Market Transfer System. Posting for CSE Team vacancies will also occur as part of the selection process as per the enclosed calendar. The assignment of staff to schools and CSE Teams is intended to maintain consistency of service, to assist in the performance of timely evaluations and to allow staff to select among assignment options. The following are procedures for the school and CSE Team selection process:

- All School Psychologists and School Social Workers who obtained their cluster assignment as a result of prior clustering activities may opt to retain their clusters if the cluster remains appropriate to their license area (monolingual or bilingual by language.)
- Staff who remained in their cluster assignment but had the number of days changed in their majority school continue to have the right of retention even though the number of days of service to the school may have dropped below three days.
- All bilingual clusters filled by monolingual personnel must be posted on the Open Market Transfer System. If additional bilingual personnel apply, the ISC selection committee must make every effort to assign selected bilingual personnel in accordance with the bilingual cluster rank order list in the district. Monolingual personnel in bilingual clusters may retain their bilingual cluster in the absence of additional bilingual candidates but, if displaced, must apply for open clusters on the Open Market Transfer System like all other candidates.

- All other school clusters (open clusters) will be posted on the Open Market Transfer System. Any School Psychologist or School Social Worker may apply for an open school cluster anywhere in the system.
- An ISC administrative/supervisory designee in collaboration with the ISC HR Deputy Director or designee will notify candidates either by telephone or in writing to arrange interviews with the ISC selection committee. Priority of interview only for open clusters will be given to personnel without an assignment in the same district.
- An ISC selection committee will be comprised of the Principal of the school of majority (3 days or more per week), ISC administrative/supervisory designee and an in-discipline staff member assigned within the ISC for all open school clusters. It is recommended that the Principal of the school of minority be invited, or if not feasible, consulted on the selection.
- Principals of the school of majority will have final approval of the selected candidate for the entire cluster.

N.B. A Principal of a school of majority may request additional days of service at the school's own expense to add a fourth or fifth day to a three or four day assignment. In this case, the cluster should remain the same.

Requests for additional days by Principals of schools of minority (one or two day assignments), again at the school's own expense, may be entertained by the ISC only to the extent that personnel in these titles remain available in each district to support the request.

CSE TEAM

- Selection of CSE Team School Psychologists and School Social Workers for vacant CSE Team positions will continue to be posted for each CSE. While the CSE Team positions continue to be for a three year term, current CSE Team members completing their three year term may apply and be selected for another term the same as all other applicants. Special Education Teachers Assigned to CSE or vacancies for one of the 25 School Psychologists assigned directly to the ISC's must be advertised on the Open Market Transfer System.
- CSE Team members who leave the CSE Team for any reason must apply for open cluster assignments through the Open Market Transfer System the same as all other personnel. They may not "bump" other personnel and are subject to the same interview process. Priority of interview only will be given to personnel exiting the CSE Team for open cluster assignments in the same district.
- Special Education Teacher positions on the CSE Team will continue to be posted on a one year rotational basis. Exiting teachers may reapply and be assigned to the position by the CSE Chairperson upon the absence of other qualified applicants. Special Education Teachers exiting the CSE Team must apply for positions on the Open Market Transfer System and will be treated the same as all other teachers in the system exiting "teacher assigned" positions.

CLUSTER APPEALS

Final appeal of cluster assignments will be heard by the Superintendent or designee after completion of the selection process. Appeals are scheduled with the UFT Functional Chapter Leader and heard as soon as possible after the completion of the clustering process but not later than the first week in June. Requests for a hearing should be made in writing and a written decision (memo format) to the appellant is required. This appeal represents the final avenue of redress regarding the cluster process. These decisions are not subject to the grievance process in the UFT collective bargaining agreement.

Attached are sample forms which may be used by staff for claims for retention for the 2008-2009 school year and a calendar suggesting dates for various phases of the activity. Thank you.

Attachments:

- Activities Calendar
- Retention Form
- Sample CSE Team Posting (school psychologists and school social workers)
- Sample Teacher Assigned Posting for CSE Team assignment
- Sample posting for 25 additional school psychologist positions assigned to ISC's
- Sample cluster appeal decision
- School and CSE Team allocations for 2008-2009
- High School data reports, District 3 yr. and year to date referral data available on RMDS, report no. DSEB6150.R1

M E M O R A N D U M

Date: _____

TO: _____
Committee on Special Education Chairperson

FROM: _____
Name/Discipline

SUBJECT: Retention of Cluster Assignment for the 2008-2009 School Year

My current assignment is:

_____	_____
School	Days per Week

_____	_____
School	Days per Week

I have been in this assignment since _____.

I wish to remain in my cluster, as specified: _____, inasmuch as it includes my current three day-a-week assignment.

Signature

Date

S A M P L E

M E M O R A N D U M

Date: _____

**TO: JANE SMITH
TITLE**

**FROM: JOSEPH DOE
APPEAL OFFICER**

SUBJECT: Cluster Appeal

The DAC is required to recommend a number of bilingual clusters equal to the bilingual allocation for the district which increased by one School Psychologist and one School Social Worker for next year. It appears that the DAC appropriately designated the P1/P2 cluster as bilingual for next year. This school cluster had the highest number of bilingual cases among monolingual clusters last year.

The appeal, therefore, is denied.