



**Department of
Education**
Chancellor David C. Banks

May 25, 2022

Beth Norton
General Counsel
United Federation of Teachers
52 Broadway
New York, New York 10004

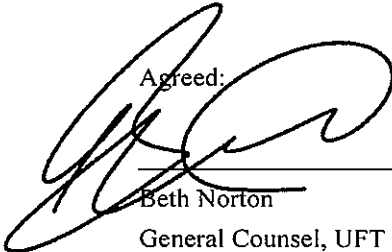
Dear Beth:

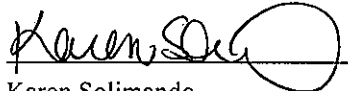
This letter memorializes that the Department of Education of the City School District of the City of New York (“Board”) and the United Federation of Teachers, Local 2 (“UFT”) agree to extend the attached agreement regarding ICT, SETSS and program preferences. This agreement shall sunset on the earlier of May 1, 2023 or the commencement of the next round of negotiations, unless both parties otherwise agree to extend it in writing.

The parties further agree that schools shall not be required to re-issue preference sheets for the 2022-2023 school year and that the Department will issue guidance that general education teachers shall be allowed to express a preference to an ICT position in the 2022-2023 school year.

Please sign and return this letter to me at your earliest convenience.

Agreed:



Beth Norton
General Counsel, UFT

Karen Solimando
Director, NYCDOE Office of Labor Relations

The United Federation of Teachers and the New York City Department of Education hereby agree as follows:

1. As part of the reorganization process in schools each spring where teachers can express a preference in accordance with Article 7 of the collective bargaining agreement, the parties agree on a program where the positions of
 - a. SETSS special education teacher, and
 - b. ICT Special Education Teacher, and
 - c. ICT General Education Teacher

shall be available as preferences for teacher to select. These positions are not subject to a separate posting.

2. Teachers appointed under a special education license will express three program preferences each including a program designation, age range and subject (where appropriate). ICT and SETSS are examples of such a program designation.
3. The job description for each of these positions is attached hereto and will be shared along with the preference sheets so teachers are able to understand the expectations of these positions prior to expressing a preference.
4. Wherever administratively possible, teachers assigned to more than one ICT class will be assigned to the minimum number of co-teachers.
5. All other contractual rules and procedures of the preference process remain in effect.
6. The parties agree to reconvene during November 2020 and November 2021 to review the impact of this memorandum of agreement and to make any changes or modifications the parties agree are appropriate.
7. If the parties cannot agree to continue, change or modify the current memorandum of agreement by February 2, 2022, the parties agree that the chancellor and the UFT president will make the final determination as to how this agreement will be implemented for the reorganization of schools in the spring of 2022.
8. This memorandum cannot be altered or modified unless agreed to in writing by and between both parties. This memorandum is not admissible in any other administrative or judicial proceeding except to enforce the terms herein.

Job Description for Integrated Co-Teaching Assignments

The number of students with disabilities in an Integrated Co-Teaching class may not exceed 40 percent of the total class register with a maximum of 12 students with disabilities. Integrated Co-Teaching classes must adhere to general education class size limits. Under Integrated Co-Teaching, classes that normally have a class size limit of 20 students will increase to 25 students, with a maximum of 10 students having disabilities.

The Integrated Co-Teaching Class consists of one special education teacher and one general education teacher. They collaboratively plan, assess and teach lessons, activities, and projects that incorporate all learning modalities.

Integrated Co-Teachers will participate in professional development opportunities concerning research-based approaches for delivering Integrated Co-Teaching instruction, and/or behavior instruction, interventions and/or progress-monitoring.

- The general education/content area teacher is primarily responsible for the delivery of content/subject area instruction.
- The special education teacher is primarily responsible for delivering specially designed instruction and providing students with disabilities access to the general education curriculum.

Descriptions for Special Education Teacher Support Services (SETSS) Provider

A full time SETSS position can be created when there are 20 or more students at the elementary level or 26 or more students at the middle or high school level that require SETSS services. The maximum caseload for a SETSS teacher in an elementary school is 30 students and 38 for middle and high schools.

- The Special Education Teacher Support Services (SETSS) teacher provides specially designed and/or supplemental instruction to support the participation of a student with disabilities in the general education classroom. Service is provided in the classroom or in a separate location in accordance with each student's individual IEP mandate. The teacher also provides consultation (indirect service) to the student's general education teacher which focuses on modifying the learning environment and/or curriculum to meet the needs of the student in the general education classroom.
- The SETSS teacher consults with the student's general education teacher(s), when indirect SETSS is indicated on the student's IEP, during the mandated scheduled time.
- The SETSS teacher participates in professional development opportunities concerning research-based approaches for delivering specially designed instruction, evidence-based literacy, math and/or behavior instruction, interventions including executive functioning, and/or progress-monitoring.
- The SETSS teacher will participate in the development of the IEP for students on the given SETSS caseload.