

## DOE/UFT Guidelines to Resolve ICT Programming-Related Operational Issues

Operational issues are filed and escalated when the Blended Learning Agreement is not being followed without an approved SBO or PROSE vote. In the event there are operational issues, the first step is to try to resolve at the local level between the Principal and the Chapter Leader. Issues that cannot be resolved at the school may escalate to the Superintendent and District Representative for resolution. Failure to resolve the operational issue will result in the issue being brought to the Central Operations Committee, a group empowered by both President Mulgrew and Chancellor Carranza to resolve the issues.

In some cases, the assignment/hiring of additional staff to the class may be a possible resolution in addition to or in lieu of possible remedies listed below.

**Resolution of an operational issue does not mean that the school is in compliance with all special education mandates. In addition, even if the school is in compliance, the school should continuously try to improve service to students.**

**SBO Guidance:** Principals and Chapter Leaders should work together to determine if there is a resolution pathway via SBO to modify one or more elements of the Blended Learning Agreement or the standard Collective Bargaining Agreement. Escalation protocols for specific situations are defined in the **MOA** and additional support is available via the **FAQ**.

**Model Change Guidance:** Schools that wish to modify the model being implemented, including adding a remote day or changing the in-person frequency, should do so via the model exception request. Effective immediately, model changes may not be done via SBO and must go through the model exception process. In cases where work condition changes are contingent on remote day exceptions, stipulations shall cite the remote day exception.

**The following are guidelines for resolving operational issues concerning ICT programs mandated by students' IEPs.**

ICT bridge classes in elementary schools

Teacher programs must still adhere to the Blended Learning Agreement (number of modalities, class size, etc.)

ICT Bridge Class Scenario	Possible Remedies Special Education Teacher	Possible Remedies General Education Teacher																
One ICT bridge class made up of two consecutive grades (includes all cohorts/student groups within that class)	This is permissible; no remedy needed	This is permissible; no remedy needed																
One ICT bridge class made up of non-consecutive grades  [e.g. one grade 2/4 ICT bridge class]  (includes all cohorts/student groups within that class)	<div>Reprogram and/or:</div> <table> <tr> <th>Number of Students</th> <th>Remedy</th> </tr> <tr> <td>Up to 7 students</td> <td>Prep time</td> </tr> <tr> <td>8 to half CBA class size</td> <td>2 paid coverages per week for duration of assignment</td> </tr> <tr> <td>More than half CBA class size</td> <td>Prorated Shortage Pay for duration of assignment</td> </tr> </table>	Number of Students	Remedy	Up to 7 students	Prep time	8 to half CBA class size	2 paid coverages per week for duration of assignment	More than half CBA class size	Prorated Shortage Pay for duration of assignment	<div>Reprogram and/or:</div> <table> <tr> <th>Number of Students</th> <th>Remedy</th> </tr> <tr> <td>Up to 7 students</td> <td>Prep time</td> </tr> <tr> <td>8 to half CBA class size</td> <td>2 paid coverages per week for duration of assignment</td> </tr> <tr> <td>More than half CBA class size</td> <td>Prorated Shortage Pay for duration of assignment</td> </tr> </table>	Number of Students	Remedy	Up to 7 students	Prep time	8 to half CBA class size	2 paid coverages per week for duration of assignment	More than half CBA class size	Prorated Shortage Pay for duration of assignment
Number of Students	Remedy																	
Up to 7 students	Prep time																	
8 to half CBA class size	2 paid coverages per week for duration of assignment																	
More than half CBA class size	Prorated Shortage Pay for duration of assignment																	
Number of Students	Remedy																	
Up to 7 students	Prep time																	
8 to half CBA class size	2 paid coverages per week for duration of assignment																	
More than half CBA class size	Prorated Shortage Pay for duration of assignment																	

A special education teacher with two separate ICT bridge classes of different consecutive grade configurations with two different general education partner teachers <b>for ELA &amp; Math only</b> [e.g. grade 2/3 and grade 4/5]	<b>Aggregate Number of Students</b>	<b>Remedy</b>	N/A
	Up to CBA class size + 7	Prep time	
	CBA class size + 8 to half class	2 Coverages per week for duration of assignment	
	Up to 1 ½ CBA class size	Prorated Shortage Pay for duration of assignment	
A special education teacher with two separate ICT bridge classes of different grade configurations with two different general education partner teachers <b>for three subjects or more</b> [e.g. grade 2/3 and grade 4/5]	<i>Reprogram <b>and</b> prorated shortage pay for duration of assignment <b>and</b> provide additional daily coordination/prep time</i>		N/A
A teacher with one ICT bridge class of three or more grades	<i>Reprogram <b>and</b> prorated shortage pay for duration of assignment</i>		<i>Reprogram <b>and</b> prorated shortage pay for duration of assignment</i>

#### ICT Scenarios (non-bridge classes)

ICT Scenarios	Possible Remedies Special Education Teacher	Possible Remedies General Education Teacher
ICT class with only one teacher (in person and/or remote, all grade levels)	<i>Reprogram <b>and</b> prorated shortage pay for duration of assignment</i>	<i>Reprogram <b>and</b> prorated shortage pay for duration of assignment</i>
A special education teacher and a general education partner teacher with two separate ICT classes in different grades (e.g., a 1 <sup>st</sup> grade class and a 2 <sup>nd</sup> grade class – three or more subjects for each class) <b>(elementary only)</b>	<i>This is a multiple grade assignment Reprogram <b>and/or</b> prorated shortage pay for duration of assignment</i>	<i>This is a multiple grade assignment Reprogram <b>and/or</b> prorated shortage pay for duration of assignment</i>
A special education teacher with two separate ICT classes with two general education partner teachers (same grade level, ELA and Math only) (elementary only)	<i>Additional prep time</i>	N/A
A special education teacher with two separate ICT classes with two general education partner teachers, three or more subjects in different grade levels (elementary only)	<i>Reprogram <b>and</b> prorated shortage pay for duration of assignment and provide additional daily coordination/prep time</i>	N/A

<b>Other ICT Staffing Scenarios</b>	
	<b>Possible Remedies – Special Education &amp; General Education Teachers</b>
<p><b>Teachers in Different Locations</b>  <i>ICT teacher teams providing instruction from different locations</i></p> <p><i>(one is remote, one is in-person)</i></p>	<p><b><i>This is permissible.</i></b></p> <p><i>Possible use of Paraprofessional Classroom Manager/Lead Teacher Assistant or other teacher/supervisor to supplement the teacher who is teaching remotely</i></p> <p><i>(depending on IEP mandates and special ed services required)</i></p>
<p><b>Split one in-person ICT class into different rooms</b></p> <p><i>Students in one in-person ICT class are divided into two instructional groups. The special education teacher and the general education take turns providing instruction to the two groups throughout the school day</i></p> <p><i>(the teachers move from room to room; the students in the instructional groups remain in their assigned classrooms).</i></p>	<p><b>This is permissible; no remedy needed</b></p> <p>In response to the October 15, 2020 Guidance from New State Education Department, the UFT and DOE agree to the following guidance for in-person integrated co-teaching classes during the COVID-19 pandemic:</p> <p>The division of integrated co-teaching (ICT) classes into instructional groups that meet in physically separate spaces is intended to increase in-person instruction and services to students while promoting social distancing and adhering to health and safety requirements. Such divisions should not be used as the pretext to create an ICT bridge class. Further, the following conditions must be met: a) the class is taught by an ICT partnership that includes two pedagogues with appropriate general education and special education certifications and b) the school must have the available physical space to appropriately accommodate such a division. In these cases, the ICT partnership teachers will consult on how best to divide the students into the instructional groups, and how to assure regular, substantive in-person interaction with each teacher throughout the school day, subject to supervisory approval. In doing this, instructional groups must be heterogenous and should maintain the ratio of 60% students without IEPs and 40% students with IEPs consistent with DOE policy.</p>

**NOTES:**

- *If a teacher is already receiving additional prep time as a remedy for a Blended Learning Agreement complaint, **and** there is also an ICT complaint that would normally grant additional prep time, a possible remedy is to pay one coverage per week **in addition to** the additional prep time that has already been granted.*
- *Additional prep time can be in the form of (including but not limited to) instructional coordination, professional activity/C6, or extra prep during the instructional day.*

**Disclaimer:** The scenarios above are for ICT classes only and are not applicable to other special classes (self- contained, SETSS, etc.)