

MEMORANDUM OF UNDERSTANDING BETWEEN
THE CLEVELAND METROPOLITAN SCHOOL DISTRICT AND THE CLEVELAND TEACHERS UNION
SPECIAL EDUCATION DEPARTMENT 2022 SUMMER ASSESSMENT CLINIC

RE: SY2021-2022 Related Services ETR Testing of Specific Students /Extended School Year and Compensatory Education Related Service/ School Psychologist Testing (Preschool Special Education/Gifted Summer Assessment/Legal/Non-Public)/IEP Preparation and Write Up

This Memorandum of Understanding (MOU) between the Cleveland Metropolitan School District (District) and the Cleveland Teachers Union, AFT Local 279, AFL-CIO (CTU) memorializes the District's and the CTU's shared commitment to provide quality educational opportunities for all District students.

The District recognizes that all provisions in the current Collective Bargaining Agreement between the District and the CTU and future CBAs, as ratified, as well as other binding agreements on the CTU and the District in the form of Memoranda of Understanding (hereinafter collectively "CBA") shall remain in full force and effect.

The District and the CTU agree to the following work requirements for Summer Services for the following areas:

- Preschool Special Education Evaluations
- School-Age Special Education Evaluations
- Referrals for Special Education Evaluation
- Gifted/Early Entrance to Kindergarten Assessments
- Extended School Year and Compensatory Education Services
- IEP Preparation, Write Up, and Meeting Participation

Qualified bargaining unit members, as defined in General Provisions, may apply for the position postings.

The parties agree that, notwithstanding the deadlines contained in Article 28, Section 3(B) of the Collective Bargaining Agreement ("CBA"), all applications for the 2022 Summer Assessment Clinic will be available on the WorkDay site, no later than **April 8, 2022**. Applications must be completed and submitted via WorkDay to The Talent Office by **April 22, 2022** by 5:00pm.

Evidence of submission will be provided to the applicant. Bargaining unit members may submit more than one 2022 Summer Assessment Clinic application but will have those applications considered in the order in which they are submitted via WorkDay. The parties expressly acknowledge that the development of job postings and job applications does not guarantee that such positions will be available. Job postings will include the applicable information contained in the Memorandum of Understanding.

No later than **May 6, 2022** each bargaining unit member shall be notified by District e-mail if he or she has a 2021 Summer Assessment Clinic assignment. Each bargaining unit member who fails to accept this assignment by District e-mail by 5:00 pm on **May 13, 2022**, will forfeit his or her right to a 2022 Summer Assessment Clinic assignment.

Positions will be awarded by seniority and will be paid the daily rate. The Bargaining Unit Member will be expected to complete the accepted work as outlined in the MOU. The CTU will be provided a list of all bargaining unit members who apply for the positions, a list of all bargaining unit members awarded one of the positions, and a weekly payroll for all bargaining unit members employed.

School Psychologists

- Session 1: June 6-17, 2022
- Session 2: July 11-22, 2022

Speech Language Pathologists (SLPs), Occupational Therapists (OTs), Physical Therapists (PTs), Audiologists, Registered Nurses (RNs):

- Session 1a: June 6-10, 2022
- Session 1b: June 13-17, 2022
- Session 2a: July 11-15, 2022
- Session 2b: July 18-22, 2022

Preschool Intervention Specialists, School Age Intervention Specialists, and Bilingual Instructional Aides:

- Session 1: June 6-17, 2022
- Session 2: July 11-22, 2022
- Session 3: July 25-29, 2022

School psychologists and related service providers will complete and submit all assigned assessments and evaluations (completed ETRs) on Friday at 3:10 of each session in which they are working without exception. Preschool Intervention specialists will complete IEPs and conduct meetings by Friday at 3:10 of the session in which they are working.

A. Related Services Staff ETR Testing of Specific Students (Specific to OT, PT, SLP):

- 1) The number and type of Related Services staff (OT, PT, and SLP) needed will be determined by the number of cases that the District has received that require assessment by these specific professionals as defined by the evaluation planning form. Related service providers will complete and submit all assigned assessments and evaluations (completed ETR's) on Friday at 3:10 of each session in which they are working without exception.
- 2) For each session, SLPs assigned to the Preschool Assessment Clinic must complete no more than eight cases per session in weeks when there are three days of testing, and no more than seven in a week in which there are two days of testing. Cases will be assigned one by one in order of seniority.
- 3) For each session, OT/PTs assigned to the Preschool Assessment Clinic must complete no more than nine cases per session. Cases will be assigned one by one in order of seniority.

B. Extended School Year (ESY) and Compensatory Related Services (Specific to OT, PT, SLP):

1) Speech Language Pathology

- a) The amount of Speech/Language services will be provided as defined by the IEP for ESY services as well as compensatory therapy minutes. All attempts will be made to coordinate SLP ESY/Comp Ed services with the parent/guardian during each session (Sessions 1a, 1b, 2a, 2b). The number of SLPs needed will provide services, as defined by the IEP for ESY and compensatory therapy minutes. The SLP assigned to the student will be based upon the needs as defined by the IEP. The Therapist will be able to complete up to 5 hours of therapy per day of scheduled work.
- b) If there are not any students, who require Speech Therapy services a therapist will not be required.

2) Occupational Therapy

- a) The amount of Occupational Therapy services will be provided as defined by the IEP for ESY and Compensatory Education (Comp Ed) services. All attempts will be made to coordinate OT ESY/Comp Ed services with the parent/guardian during each session (Sessions 1a, 1b, 2a, 2b).
- b) The number of OTs needed will provide services, as defined by the IEP for ESY. Additional OTs may be added as determined by caseload. The Therapist will be able to complete up to five hours of therapy per day of scheduled work.
- c) If there are not any students, who require Occupational Therapy services a therapist will not be required.

3) Physical Therapy

- a) The amount of Physical Therapy services will be provided as defined by the IEP for ESY and Compensatory Education services. All attempts will be made to coordinate PT ESY/Comp Ed services with the parent/guardian during each session (Sessions 1a, 1b, 2a, 2b).
 - b) The number of PTs needed will provide services, as defined by the IEP for ESY. Additional PTs may be added as determined by caseload. The Therapist will be able to complete up to 5 hours of therapy per day of scheduled work.
 - c) If there are not any students, who require Physical Therapy services a therapist will not be required.
- 4) Related Service staff may also assist with ETRs and IEPs required for legal cases, Project Act, non-public, Jon Peterson and Autism Scholarship IEPs, etc.

C. School Psychologists:

- 1) School psychologists will provide testing and other assessments for each student requiring an evaluation as determined by onsite administrators.
- 2) The number of school psychologists to be hired will be determined based upon the number of students requiring assessment and types of assessments needed per the onsite administrators.
- 3) School psychologists assigned to the Preschool Assessment Clinic will complete a total of five cases in a two-week session and act as Case Manager for the ETR meeting. Psychologists will be required to complete no more than three evaluations in either week of the session. Cases will be assigned one by one in order of seniority until the maximum of five cases in one session is reached. If there are no summer assessments to be completed on an assigned assessment day, or if a psychologist is not on track to complete five evaluations in two weeks due to no-shows, school psychologists will be assigned referrals to complete; two completed referrals is equivalent to one case. If there are no referrals to complete, then #10 under General Provisions (H) will apply.
- 4) For each two-week session, school psychologists assigned to the Gifted/Early Entrance to Kindergarten assessments must complete no more than ten cases per week. Psychologists will not be required to assess more than two students per day. If there are not enough Gifted/Early Entrance to Kindergarten assessments to be completed during the session, school psychologists will be assigned other work.
- 5) School psychologists will complete and submit all required assessments and reports by 3:10pm on the final Friday for any students assessed that session.

D. Licensed School Nurses/Registered Nurses:

- 1) The Nurse will assess each child for vision impairment. The nurse will review medical records, interview the parent/guardian and provide data for the evaluation and to the IEP if student has identified medical needs.
- 2) The number of Nurses needed will be determined by the number of students scheduled for assessment during the week. The Nurse caseload will be limited to no more than eight students scheduled per nurse per day.
- 3) Cases will be assigned one by one in order of seniority.

E. Audiologists:

- 1) The Audiologist will screen each child for hearing loss. The Audiologist will provide data for the evaluation and for the IEP and will complete referrals for complete audiograms as needed.
- 2) The number of Audiologists needed will be determined by the number of students scheduled for assessment during the week. The Audiologist caseload will be limited to no more than eight students scheduled per Audiologist per day.
- 3) Cases will be assigned one by one in order of seniority.

- 4) If no Audiologist applies to work the Summer Assessment Clinic, the assigned speech-language pathologist for each case will conduct hearing screenings.

F. Preschool and School-Age Intervention Specialists (including Teacher of the Visually Impaired):

- 1) The Intervention Specialist will provide preparation and write-up of student IEPs and conduct parent meetings regarding the IEPs. The Intervention Specialist (including Teacher of the Visually Impaired, if needed) will also conduct preschool evaluations.
- 2) The preparation and write-up of IEPs, as well as parent meetings, may be completed virtually/remotely. However, parent requests for in-person meetings will be honored.
- 3) The number of Intervention Specialists needed will be determined by the number of cases that the district has received that require IEPs by these specific professionals. Intervention Specialists will complete no more than ten IEPs for each two-week session.
- 4) Cases will be assigned one by one in order of seniority.

G. Bilingual Instructional Aides:

- 1) The Bilingual Instructional Aide will provide oral interpretation for testing, ETR meetings, and IEP meetings as needed to accommodate multilingual students and their families.
- 2) All oral interpretation will be completed at East Professional Center.
- 3) The number of Bilingual Instructional Aides and the languages needed will be determined by the number of cases that the District has received that require assessment and oral interpretation in a language other than English.
- 4) In the event that a Bilingual Instructional Aide is needed for three or fewer cases, the Bilingual Instructional Aide will work two days (one testing day and one meeting day) and be paid the hourly rate.

H. General Provisions:

- 1) Qualified bargaining unit members may apply to position postings.
- 2) All Bargaining Unit Members will complete and submit their ETRs and IEPs by 3:10pm on Friday of each session for any students assessed during that session.
- 3) Positions and initial assignments (gifted, preschool assessment, etc.) will be awarded by seniority and will be paid the daily rate. If additional bargaining unit members are needed to complete the necessary work, positions will be awarded by seniority and will be paid the daily rate. If additional bargaining unit members are needed after initial assignments are offered and accepted, the additional members will be assigned to the work that is available.
- 4) Payroll will be completed in accordance with the procedures outlined in Article 31 of the Collective Bargaining Agreement, with the Bargaining Unit Member ensuring that the correct job code is selected for summer work and submitted by 3:10 each Friday.
- 5) The scheduled work day is 8:30am to 3:10pm, with a 40-minute uninterrupted lunch break to be taken between 11:00am and 1:00pm.
- 6) CTU bargaining members will sign in at the beginning of the workday and sign out at the end of the workday. Sign-in/out sheets will be used for payroll verification. CTU bargaining unit members will also submit their time in Workday at the end of each pay period.
- 7) Mandatory Preschool Assessment Clinic staff meetings will occur at 8:30 a.m. on the first Monday of session 1, June 6, 2022 and the first Monday of session 2, July 11, 2022. These meetings will take place at East Professional Center.

- 8) All evaluations will be completed in-person at East Professional Center. The preparation and write-up of reports, as well as parent meetings, may be completed virtually/remotely. However, parent requests for in-person meetings will be honored.
- 9) CTU bargaining unit members working the Summer Assessment Clinic are required to complete evaluations and ODE compliance-related work assigned to them by the onsite administrators.
- 10) If there is no summer assessment work to be performed by the CTU bargaining unit members, i.e., cancellations or no shows, the Bargaining Unit Member will report to the Administrator on-site to be assigned additional departmental work.
- 11) Bilingual School Psychologists and bilingual SLPs with knowledge of and experience with special education and IDEA regulations will work, as needed, when the District requires bilingual assessment. The bilingual Psychologists and SLPs will be assigned in order of seniority within the area of specialized skill required for bilingual testing similar to the provisions above.
- 12) Professional leave will not be granted during the 2022 Summer Assessment Clinic and ESY Programs. This includes workshops, conventions and conferences. During the 2022 Summer Assessment Clinic and ESY Programs, Bargaining Unit Members are permitted one day of sick leave absence under the provisions specified in Article 21, Section 1 (I) of the CBA (personal illness, pregnancy, injury, exposure to contagious diseases, or illness, injury, or death in the employee's immediate family). Any Bargaining Unit Member who is absent on the second (2nd) day shall be deemed to have forfeited his/her summer assessment clinic position unless medical verification is provided as documentation from their physician.
- 13) Assessment team members will complete and enter ETR and IEP data into the PowerSchool Special Programs system and complete applicable Medicaid documentation for each case.
- 14) Procedural questions will be referred to the onsite administrators for resolution.
- 15) This Memorandum of Understanding expires on August 13, 2022. If there are any conflicting provisions with the current Collective Bargaining Agreement, this Memorandum of Understanding shall take precedence over the Collective Bargaining Agreement.

SIGNED AND AGREED TO BY:
FOR THE UNION:

Shari Obrenski /Date 3/18/22
Shari Obrenski, President
Cleveland Teachers Union

FOR THE DISTRICT:

_____/Date 03/19/2022
Eric S. Gordon, Chief Executive Officer
Cleveland Metropolitan School District