

## New York City Early Intervention Program

<b>Policy Title: Requirements for Early Intervention Program Employment of Department of Education Employees</b>	<b>Effective Date: January 1, 2011</b>
<b>Policy Number: 13-A</b>	<b>Supersedes: N/A</b>
<b>Attachments: Applicable Forms:</b> <ul style="list-style-type: none"> <li>• <b>Notification to the Department of Health and Mental Hygiene of the Employment of a Department of Education Employee by an Early Intervention Provider</b></li> <li>• <b>Release to Receive EI Services from a DOE Employee</b></li> </ul>	<b>Regulation/Citation: N/A</b>

### I. POLICY DESCRIPTION:

The NYC Conflicts of Interest Board has approved a waiver allowing Department of Education (DOE) employees to be employed by Early Intervention (EI) agencies. DOE employees may work for EI agencies, providing service coordination, evaluation, or services, with the following caveats and requirements:

1. The ruling applies only to DOE employees working as salaried employees or under contract/subcontract to EI agencies. It does not apply to DOE employees who function as principals, stockholders, or directors of EI agencies. Persons in those positions must seek determinations from the DOE ethics officer. If a DOE employee is working in an EI agency without having a Department of Health and Mental Hygiene (DOHMH) waiver in place or in progress, DOHMH will have to terminate its contract with the agency, unless the individual resigns from either the DOE or the EI agency. DOE employees should direct questions on these issues to the DOE Office of Ethics and Conflict of Interest.
2. DOE employees may not also be employed by CPSE programs, since these programs contract with the DOE. Thus, a release form has been developed to ensure that parents realize that if and when a child transitions to CPSE, a DOE employee may not provide services to the child. This release form must be signed by every parent whose child receives EI services from a DOE employee and kept on file by both the EI agency and the DOE employee.

All EI agencies are required annually to submit to DOHMH a list of DOE employees that they employed or subcontracted with in the previous year. The deadline for 2011 submission is March 1, 2011. In following years (2012 and forward) the deadline will be February 1.

**II. PROCEDURE:**

Responsible Party	Action
<b>DOE Employee</b>	Complete the <b>Notification to the Department of Health and Mental Hygiene of the Employment of a Department of Education Employee by an Early Intervention Provider</b> and submit it to the following address: Office of Early Intervention Contracts NYC DOHMH 93 Worth Street, Room 910 New York, N.Y. 10013 ATTN: DOE Waiver
<b>Office of Early Intervention Contracts</b>	<ol style="list-style-type: none"> <li>Files the form.</li> <li>Sends an email to the DOE employee confirming that s/he is approved to provide EI services for that agency.</li> </ol>
<b>DOE Employee</b>	<ol style="list-style-type: none"> <li>For each child to which s/he provides EI services, obtains the parent's signature on the <b>Release to Receive EI Services from a DOE Employee</b>.</li> <li>Makes a copy of the <b>Release</b> and gives it to the employing EI agency.</li> <li>Keeps the original <b>Release</b> in her/his own files.</li> </ol>
<b>EI Agency Employing the DOE Employee</b>	<ol style="list-style-type: none"> <li>Keeps all signed <b>Releases</b> in the employee's file.</li> <li>By March 1 of 2011, and by February 1 of each year thereafter, submits a list of the DOE employees which it employed or subcontracted with in the previous calendar year to the following address: Office of Early Intervention Contracts NYC DOHMH 93 Worth Street, Room 910 New York, N.Y. 10013 ATTN: DOE Waiver</li> </ol>
<b>Office of Early Intervention Contracts</b>	Files the list.

Approved By:   
Assistant Commissioner, Early Intervention

Date: January 25, 2011

**NOTIFICATION TO  
THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE  
OF THE EMPLOYMENT OF A DEPARTMENT OF EDUCATION EMPLOYEE  
BY AN EARLY INTERVENTION PROVIDER  
PURSUANT TO NYC CONFLICTS OF INTEREST BOARD RULING 2000-234**

TO: Office of Early Intervention Contracts  
NYC DOHMH  
93 Worth Street, Room 910  
New York, N.Y. 10013  
ATTN: DOE Waiver

Date: \_\_\_\_\_

Your Name: \_\_\_\_\_

Your DOE File #: \_\_\_\_\_

Name and Address of your DOE work location: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

EI Agency employing you: \_\_\_\_\_

Address of EI Agency employing you: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

**This form must be filled out by any Department of Education employee who is also employed by an Early Intervention agency, and provided to the Department of Health and Mental Hygiene at the time the individual is hired/subcontracted by the EI agency.**

[EI Agency Letterhead]

**RELEASE TO RECEIVE EI SERVICES  
FROM A DEPARTMENT OF EDUCATION EMPLOYEE**

Name of Department of Education Employee: \_\_\_\_\_

Agency Name: \_\_\_\_\_

Child's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

EI ID #: \_\_\_\_\_

I understand that \_\_\_\_\_ will be providing service to  
(DOE Employee's Name)

\_\_\_\_\_ pursuant to a contract between  
(Child's Name)

the Agency and the New York City Department of Health and Mental Hygiene's Early Intervention Program. I understand that the Department of Education Employee will not be permitted to provide services to my Child when and if my Child becomes eligible for preschool services through the Department of Education, except and unless my Child attends a Department of Education-operated program.

Signature of Parent: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Parent: \_\_\_\_\_

**A copy of this release shall be maintained in the Child's  
file at the EI Agency and by the Employee.**