

**New York State's
Commissioner's Advisory Panel for Special Education Services
October 22-23, 2020 Meeting Minutes**

New York State's (NYS) Commissioner's Advisory Panel (CAP) for Special Education Services held its scheduled fall meeting on October 22-23, 2020 via Zoom.

MEETING OF THE COMMISSIONER'S ADVISORY PANEL, October 22nd at 9:00 a.m.

Members Who Participated:

Lynnette Aqueron, Suri Barnes, Natasha Bermudez, Kimberly Black, Naomi Brickel, Tim Bromirski, Kathy Ralabate Doody, Kristin Dudek, Brett Eisenberg, Edward Escobar, MaryJo Ginese, Alexis Harrington, Laura Hartmann, Laretta Joseph, Chris Kus, Barbara Martorana, Namita Modasra, Eileen Murtha, Matt Nelson, James Nolan, Brian Pulvino, Yvonne Sinisgalli, Kristie Stromecki, Annmarie Urso, Mara Vanderzell, Mindi Wapner, Elizabeth Wheling, Danielle Williams, Jamey Wolff, Mary-Margaret Zehr.

MEETING OF THE COMMISSIONER'S ADVISORY PANEL, October 23rd at 9:00 a.m.

Members Who Participated:

Lynnette Aqueron, Suri Barnes, Natasha Bermudez, Kimberly Black, Naomi Brickel, Tim Bromirski, Kathy Ralabate Doody, Kristin Dudek, Brett Eisenberg, Edward Escobar, Alexis Harrington, Laura Hartmann, Laretta Joseph, Chris Kus, Barbara Martorana, , Namita Modasra, Eileen Murtha, Matt Nelson, James Nolan, Brian Pulvino, Yvonne Sinisgalli, Kristie Stromecki, Annmarie Urso, Mara Vanderzell, Mindi Wapner, Elizabeth Wheling, Danielle Williams, Mary-Margaret Zehr.

The following New York State Education Department (NYSED) staff also participated in the meetings: Interim Commissioner of Education, Dr. Betty A. Rosa; Assistant Commissioner, Office of Special Education (OSE), Christopher Suriano; OSE Director of Special Education Services, Joanne LaCrosse; OSE Chief of Special Education Services Due Process and Policy, Louise DeCandia; OSE Supervisor - Policy Unit, Alison Conners; OSE Associates/CAP Designees: Sandra Cote, Jennifer Hedderman.

General Business

CAP Chairperson Edward Escobar called the meeting to order at 9:00 a.m. This was followed by a review of Zoom participation tips by Jennifer Hedderman.

Chairperson Escobar performed roll call and introduced new CAP member Dr. Mindi Wapner from the New York State Department of Corrections and Community services (DOCCS) who will be representing the constituency "Adult Corrections Agencies." Chairperson Escobar also thanked Ora Perkins from DOCCS, who represented this constituency from 1998 to 2020, for her many years of service to CAP.

Alison Conners introduced NYSED staff participating in the meeting and reviewed the two-day meeting agenda

ACTION ITEMS

May 28-29, 2020 CAP Meeting Minutes

CAP Secretary Danielle Williams provided a summary of the May 2020 CAP Minutes. Members were given the opportunity to review and provide comments/corrections to the minutes. Chairperson Escobar, asked members for a motion to accept the minutes.

MOVED, that the May 28-29, 2020 meeting minutes be approved.

Motion by: Laretta Joseph

Seconded by: Yvonne Sinisgalli

Action: Motion carried unanimously.

Executive Committee Report

The CAP Executive Committee reported out on activities related to CAP since the May 2020 meeting. The Executive Committee has met with NYSED staff on a regular basis in the planning and coordination of the 2020-21 CAP meetings and has been adjusting and looking at the impact of COVID-19 on the Panel.

Election of Officers

Chairperson Escobar informed members that he had been reappointed by NYSED as Chairperson of CAP for another two-year term and accepted the position. He also informed members that a vote would be taken to elect the new Vice-Chairperson and Secretary for the 2020-21 CAP year. CAP members were provided the opportunity to nominate candidates for these positions prior to the October 2020 meeting using an online nomination form. Chairperson Escobar informed members that nominations included Yvonne Sinisgalli for Vice Chairperson and Danielle Williams for Secretary and asked for any additional nominations from the floor. No additional nominations were made.

MOVED, the uncontested nomination and appointment of Yvonne Sinisgalli as Vice-Chairperson and Danielle Williams as Secretary for a one-year term.

Motion by: by Annmarie Urso

Seconded by: Elizabeth O'Dell

Action: Motion carried unanimously.

Discussion of CAP By-Laws

Alison Connors reviewed the voting procedures in the current CAP By-Laws and proposed language to amend the bylaws to allow voting outside of a regular meeting. Ms. Connors also informed members that the By-Laws have not been updated since 2013. NYSED and the Executive Committee are seeking a motion to charge the Business Committee with undertaking a comprehensive review of the by-laws.

MOVED, that the "By-Laws: Commissioner's Advisory Panel for Special Education Services - Working Paper on Organization" be amended to add to Section IV.F. "If a vote is required outside a regular meeting, a two-thirds majority of the members who voted is required to pass a motion."

Motion by: Barbara Martorana

Seconded by: Annmarie Uso

Action: Motion carried unanimously.

MOVE, that the Business Committee be charged with reviewing and developing proposed revisions to the CAP By-Laws for recommendation to the full panel.

Motion by: Annmarie Urso

Seconded by: Laretta Joseph

Action: Motion carried unanimously.

DISCUSSION ITEMS

Old Business

Alison Connors informed members that the CAP 2019-20 Annual Report is in the process of being finalized and will be shared with members following the meeting. The report will be voted on using the new

procedures for voting outside a regular CAP meeting. Ms. Conners discussed member feedback to the online forms sent to members following the May 2020 CAP meeting regarding the following areas: COVID-19, the NYS Annual Performance Report/State Performance Plan and the 2020-21 CAP Meetings. Based on member input to the 2020-21 CAP Meetings online form, three, two-day meetings, each two hours in length, have been scheduled for 2020-21. The majority of respondents indicated that they would be willing to travel to Albany for in-person meetings if this was allowed in the future. Most respondents also indicated that the current, four standing subcommittees should continue for the 2020-21 CAP year. Due to the virtual meeting format and shortened length of the CAP meetings, Ms. Conners encouraged members to provide feedback using the online forms sent to members via the CAP listserv.

COVID-19 and School Reopening

Members were asked for their input on areas of unmet needs within the State in the education of children with disabilities [[CAP By-laws, Responsibilities A.1.](#)]. To obtain this input, members were randomly assigned to three virtual breakout rooms to discuss the following three guiding questions.

1. What do you see as the three biggest areas of unmet needs in the education of students with disabilities due to COVID-19? What suggestions do you have for how schools can better meet these needs?

Some common areas of unmet needs identified by the three breakout rooms included:

- Support for parents and teachers with remote learning, navigating different technology platforms and ensuring students stay engaged
- Equity and disparity, including access to internet and quality of specially designed instruction in a remote model
- Teacher shortage issues and lack of placements for student teachers
- Compensatory services when students have not received full Individualized education program services
- Cross systems/State agency collaboration to better support students and families - Alignment of Medicaid, education system and respite through Office for People With Developmental Disabilities
- Mental health needs of students and adults

2. What practices have you seen or heard over the last seven months that you see as model/best practices for supporting students with disabilities in remote or hybrid instructional models?

Some common best/model practices identified as working well in the field by the three breakout rooms included:

- Professional learning communities for teachers and administrators including how to navigate remote classrooms and student engagement
- Provision of live instruction versus remote learning
- Routine for teachers, parents and educators
- Providing parents information on how to use technology
- Training caregivers to support learners remotely
- Use of one-to-one aides to support student remote learning

3. How do you see your group's responses to Questions 1 and 2 impacting the work/focus of the four standing subcommittee? Should there be changes to the current subcommittees – such as adding a new subcommittee or putting certain subcommittee(s) on hold – to address new priorities?

A recommendation was made to establish a subcommittee to meet regularly to discuss issues related to COVID-19 to report back to CAP and NYSED.

Public Comment

No public comments were provided.

Remarks from Interim Commissioner Betty Rosa

Interim Commissioner Betty A. Rosa addressed the Panel and provided information on her background, including her work in the field of special education. Interim Commissioner Rosa opened the discussion to members for questions and feedback on how schools and families are navigating through the pandemic. The Executive Committee shared a summary of the unmet needs due to COVID-19 and the best/model practices for supporting students with disabilities in remote/hybrid instructional models identified by members during the day one breakout room discussions. Interim Commissioner Rosa stressed the importance of equity and access to services and reflected on the “digital divide.” She informed members that NYSED has awarded grants to Title I schools to encourage greater integration in schools by race and ethnicity, as well as special education, English language learner and socio-economic status. NYSED in partnership with the NYS Library System is also offering a series of webinars focused on digital equity and the Department has issued a Digital Equity Survey asking schools to provide information on student and teacher access to devices and the internet. Interim Commissioner Rosa informed members that the Department is working closely with higher education institutions on issues relating to the recruitment, retention, and training of teachers, and recognizes the importance of professional development. She discussed that the Department is looking at where it can provide flexibility and at strategies/incentives to increase the teacher pipeline to address shortages and better prepare teachers. Interim Commissioner Rosa also discussed member suggestions for maximizing the use of student teachers. She agreed that social emotional and mental health needs of students and teachers are growing and the importance of preventative mental health. A shift in mindset is needed to redefine how we educate children. A November 2020 Board of Regents item will focus on establishing a support system for families and students. Interim Commissioner Rosa also informed members that NYS has been awarded the federal Rethink K-12 Education Models Grant that will provide professional development to address the learning needs of NYS’s most vulnerable students, including students with disabilities through remote/hybrid learning.

Office of Special Education Updates

Louise DeCandia and Joanne LaCrosse provided updates and responded to member questions on the following special education policy updates:

- U.S. Department of Education (USDE) Guidance issued September 28, 2020:
 - [Question and Answer Document in Response to Inquiries Concerning Implementation of the Individuals with Disabilities Education Act \(IDEA\) Part B Provision of Services in the Current COVID-19 Environment](#)
 - [Questions and Answers for K-12 Public schools in the Current COVID-19 Environment](#)
- New York State Education Department (NYSED)
 - Guidance Issued October 15, 2020: [Frequently asked questions and answers regarding the provision of services to students with disabilities during the 2020-2021 School Year](#)
 - Additional Guidance Forthcoming:
 - To ensure conformity with USDE guidance, revised reopening guidance will be issued.
 - Preschool guidance will also be issued.
- [Education Stabilization Fund – Rethink K-12 Education Models Grant](#)
- [Changes to Sections 200.1 and 200.5 of the Commissioner’s Regulations Pertaining to Due Process](#)
- [State Personnel Development Grant \(SPDG\)](#) - NYSED was awarded a five-year grant from USDE (9.6 million October 1, 2020 – September 29, 2025). SPDG funds will be used to support personnel preparation and professional development to improve results for students with disabilities through

the establishment of a Statewide, evidence-based, multi-tiered system of support that integrates academics and behavior through State, district, and building leadership of effective structures and practices.

Subcommittee Reports

Student Performance Outcomes

No report submitted

Legislative/Regulatory/Policy

No report submitted. Suggested to have a standing committee on COVID-19.

Teacher/Provider Certification/Recruitment/Retention

The Teacher/Provider Certification/Recruitment/Retention Subcommittee met in October to work on identifying and will be meeting monthly.

LRE/Inclusion

No report submitted.

Business/Membership

The Business/Membership Subcommittee drafted a new application form for CAP members to be more informative, highlight stakeholder roles and review CAP responsibilities. Barbara Martorana will email the form to NYSED. A copy will be shared with the CAP members.

Alison Connors reminded members that if members wish to change their subcommittee assignment, they should send a request to either Chairperson Escobar or Sandra Cote.

Closing

MOVED, that the October CAP meeting be adjourned.

Action: Motion carried unanimously.