

## **New York State's Commissioner's Advisory Panel for Special Education Services February 27-28, 2025, Meeting Minutes**

New York State's (NYS) Commissioner's Advisory Panel for Special Education Services (CAP) held its scheduled spring meeting on February 27-28, 2025, with hybrid participation (in-person/remote) at the New York State Education Department (NYSED) building in Albany, New York.

### **MEETING OF CAP February 27, 2025, at 11:00 A.M.**

#### **Members Who Participated:**

Remote participants: Natasha Bermudez, Marilee Boylan, Chad Colarusso, Harold Dean, Vaughn Denton, Janety Encarnación, Suzanne Engel, Jacie Feuer, MaryJo Ginese, Michelle Gode, Andrew Jordan, Stacy Denise Lyles, Jennifer Pankowski, Sharada Veerubhotla Marilee Boylan

In-Person Participants: Alicia Bockmier, Timothy Bromirski, Andrea DeMeo, Kristin Dudek, Amy Frank, Jamie Maistros, Scott Payne, Suzanne Pearson, Raymond Pierce, Raquel Schmidt, Danielle Williams, Joshua Woodworth

The following NYSED staff also participated in the meetings: Deputy Commissioner, Office of Adult Career and Continuing Education Services (ACCES) and Office of Special Education (OSE), Ceylane Meyers-Ruff; Associate Commissioner, OSE, Christopher Suriano; Chief of Special Education Services, OSE, School Age Policy and Due Process Units, Eileen Borden; Supervisor, OSE, School Age Policy Unit, Marisa Daniels; Manager, OSE, Preschool Policy, Nondistrict and Incident Management Units, Suzanne Bolling; Assistant Commissioner, Office of Standards and Instruction, Santosha Oliver; Associates, OSE, School Age Policy Unit/CAP Designees: Dawn Kalleberg and Alana Davis; Associates, OSE, School Age Policy Unit: Kara Becker, Alexis Barth, Johnathan Parker

### **MEETING OF CAP, February 28, 2025, at 9:00 A.M.**

#### **Members Who Participated:**

Remote participants: Natasha Bermudez, Marilee Boylan, Chad Colarusso, Harold Dean, Vaughn Denton, Janety Encarnación, Suzanne Engel, Jacie Feuer, Michelle Gode, Andrew Jordan, Stacy Denise Lyles, Jamie Maistros, Jennifer Pankowski, Sharada Veerubhotla

In-Person Participants: Alicia Bockmier, Timothy Bromirski, Andrea DeMeo, Kristin Dudek, Amy Frank, Scott Payne, Suzanne Pearson, Raymond Pierce, Raquel Schmidt, Danielle Williams, Joshua Woodworth

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#### **General Business**

CAP Chairperson Danielle Williams called the meeting to order at 11:08 AM. This was followed by the review of the Zoom meeting protocol and participation tips for members participating remotely by Dawn Kalleberg.

On day one and two of the meeting, CAP roll call was taken verbally. Remote CAP members introduced themselves and their constituency for attendance purposes. Members of the public were asked to identify themselves by including their name and affiliation in the chat box.

Chairperson Williams reviewed the two-day agenda, the [Bylaws](#), and responsibilities of CAP Members. Chairperson Williams discussed future actions necessary to prepare for the May meeting, including the participation of the Commissioner of Education, Betty A. Rosa, as well as CAP member terms that are ending on June 30, 2025.

### **Old Business**

See Action Item: "[October 24 – 25, 2024 Minutes](#)"

### **Executive Committee Report**

Chairperson Williams informed members that the Executive Committee has been meeting regularly. Chairperson Williams reminded the subcommittees that they should be routinely meeting and suggested their meetings should ideally occur once per month. Chairperson Williams announced that the CAP Executive Committee is grateful for the collaboration with NYSED Policy staff and Leadership.

The CAP Executive Committee informed members that a new chairperson will be appointed in July 2025, shared information about duties and responsibilities of each role, and reminded members that nominations for vice chairperson and secretary positions will take place prior to the October 2025 meeting, when elections take place.

### **ACTION ITEMS**

CAP Secretary, Alicia Bockmier, provided a summary of the October 24-25, 2024, CAP meeting minutes. Members were given the opportunity to provide comments/corrections. Secretary Bockmier asked members for a motion to accept the minutes. A vote was taken by Zoom poll and in-person.

**MOVED**, that the October 24-25, 2024, meeting minutes be approved.

Motion by: Jamie Maistros  
Seconded by: Scott Payne  
Action: Motion carried

Secretary Bockmier provided a summary of the CAP Annual Report 2023-2024. CAP Members were given the opportunity to provide comments/corrections. Secretary Bockmier asked members for a motion to accept the Annual Report. A vote was taken by Zoom poll and in-person.

**MOVED**, that the CAP Annual Report 2023-2024, be approved.

Motion by: Alicia Bockmier  
Seconded by: Amy Frank  
Action: Motion carried.

## **DISCUSSION ITEMS**

### **Remarks from NYSED Leadership**

Deputy Commissioner Ceylane Meyers-Ruff and Associate Commissioner Christopher Suriano welcomed CAP members and provided opening remarks.

- Deputy Commissioner Meyers-Ruff introduced herself and shared that she would like to be involved and learn how she can best support the work of CAP. She commented on the success of the overlap and intersection between OSE and ACCESS offices.
- At the [January Board of Regents presentation](#), Deputy Commissioner Meyers-Ruff articulated the importance of seamless transition for students with disabilities throughout all stages of their education. NYSED and stakeholders' visions have expanded to recognize that successful outcomes in the transition from student to adult start early in the child's development. She commented on multiple transition zones (Early Intervention to Pre-K, Pre-K to School-Age, School-Age to Adulthood). She stated the impact of the work being done jointly will have a great impact.
- A presentation, [Access to Preschool Special Education Services](#), is to be given at the March 2025 Board of Regents meeting that will highlight key issues relating to preschool special education. CAP members were encouraged to view the meeting to learn more about the 7 recommendations made by the Office of the Comptroller in their 2024 audit.
- Deputy Commissioner Meyers-Ruff emphasized the importance of CAP input and recommendations to assist NYSED in meeting the needs of students with disabilities served under the Individuals with Disabilities Education Act (IDEA).

Updates were provided by Associate Commissioner Suriano on the following NYSED initiatives and activities:

- [Behavioral supports and supports interventions](#) – There are forthcoming technical amendments to align regulations to state law regarding corporal punishment.
- The current Multi-Tiered System of Supports – Integrated (MTSS-I) federal grant will be coming to a close, and NYSED submitted a new grant to continue the work of this group. The goal would be for these supports to be available regionally to all schools, and not just the pilot schools. MTSS-I remains an important initiative for the department.
- The NYS Office of the Comptroller conducted an audit to determine if NYSED is effectively overseeing preschool special education in compliance with all applicable laws and regulations to promote timely access to services for children across New York State. The audit covered the period from July 2018 through January 2024 and helps to reinforce work in the OSE. Preschool students with disabilities should have equitable access to programs.
- Associate Commissioner Suriano provided a brief description of changes to the [Annual School District Determinations under IDEA](#) which resulted from the U.S. Department of Education (USDE), Office of Special Education Programs (OSEP) monitoring. CAP members will have a presentation on the new determination

criteria and an opportunity for CAP member stakeholder input on improvement strategies.

- Updates were provided on the [Dyslexia/Dysgraphia Task Force](#). Recommendations were submitted to NYSED, and work is underway to implement these.

### **State Performance Plan (SPP)/Annual Performance Report (APR)**

Eileen Borden, Suzanne Bolling, and Dawn Kalleberg presented on NYS's FFY 2023 SPP/APR required under section 616 of IDEA. CAP members were provided an overview of data and information for the 18 SPP compliance and performance indicators NYS was required to report on in its 2023 Part B SPP/APR, submitted to the USDE on February 3, 2025. This data and information, considered preliminary during OSEP's clarification period, will be finalized by June 2025, and then publicly posted. Discussion focused on the explanation of data and whether NYS met its targets for indicators 1-18, and how it relates to students progressing through their educational careers, with opportunities for questions and clarification. CAP member feedback was obtained regarding the following discussion questions:

1. What indicators do you think New York should focus on this year? Why?
2. What actions/activities might lead to improved outcomes for these indicators?

### **Preschool Policy Updates**

Suzanne Bolling presented on the findings of the [Office of State Comptroller Pre-school Audit Report](#) and the seven recommendations from the comptroller. NYSED's plans to address each of the recommendations were highlighted.

### **Graduation Measures Update**

Assistant Commissioner Oliver presented on the [Blue Ribbon Commission on Graduation Measures](#) report and recommendations. She summarized the Commission's work and the Four Transformations from [NY Inspires: A Plan to Transform Education in New York State](#). NYSED's Theory of Change highlights taking a holistic approach to education which will help students thrive in school and beyond. Changes will be implemented using a phased approach over five years.

The four transformations that will take place are:

- Adopt a NYS Portrait of a Graduate
- Redefine Credits and Learning Experiences
- Sunset Diploma Assessment Requirements
  - Moving forward students no longer need to pass a Regents or a 1+ pathway to graduate
- Move to One NYS High School Diploma
  - Advances designation becomes a seal/endorsement
  - Districts can add seals

For more information and feedback, CAP members were directed to the [Graduation Measures Webpage](#).

## **Part B Application**

Eileen Borden presented on the submission of [NYS's Annual State Application Under Part B of IDEA for FFY 2025](#), due to the USDE no later than May 21, 2025. Members were provided with an overview of the required components of the application, including reporting on the description of the use of federal funds used for administrative and other State-level purposes. Ms. Borden also explained the public participation requirements – posting for 60 days, public comment accepted for 30 days. Members were provided a breakdown of anticipated administration funds. Members will be notified when the Part B application is posted and were reminded of their responsibility as CAP members to comment publicly on the procedures for distribution of funds under Article 89 of the State Education Law ([CAP By-laws, Responsibilities I.A.3.](#)).

Associate Commissioner Suriano recommended CAP members review where [NYS regulations exceed the IDEA federal regulations](#). He responded to questions regarding shortages and limited private approved institutions.

Members were provided with opportunities to ask questions and provide member input after the conclusion of the presentation.

## **New York State Agency Representation Updates**

The following CAP Members representing State agencies provided a brief overview and update of the services and supports provided to children with disabilities and their families in NYS:

**Adult Continuing Career and Education Services - Vocational Rehabilitation ([ACCES-VR](#))** - Suzanne Pearson – ACCES-VR assists individuals with disabilities to achieve and maintain employment and to support independent living through training, education, rehabilitation, and career development. Suzanne discussed a new Core Rehabilitation Services (CRS) contract (notable increase in vendors from 20 to 120 vendors) for students ages 14-22 that will start April and June. Suzanne also discussed Pre-Employment Transition Services (Pre-ETS) curriculum for Transition and Youth Services and monitoring to support students' transition from school to post-school activities.

**Department of Health (DOH), Bureau of Early Intervention ([EI](#))** - Raymond Pierce - EI provides therapeutic and support services to eligible infants and toddlers with disabilities, birth- age 3. Raymond discussed the 4% rate increase to start April 1st, 2025. Raymond discussed infant child mental health and how DOH has adopted DC:0-5. The DC:0-5 is a diagnostic classification system for mental health and developmental disorders in infants and young children. The use of DC:0-5 will help mental health professionals address these needs. The EI Transition guide is being revised and will be presented in two parts, simplifying the process for families and service providers. The long-term goal is to track infants and toddlers who go from Part C (early intervention, ages 0-2) to Part B (CPSE, ages 3-5), and improve the timeliness of the transition from Part C to Part B for students with disabilities who have an individualized education program (IEP).

**Office of Mental Health ([OMH](#))** - Natasha Bermudez - OMH provides traditional outpatient mental health services to children and adolescents in a variety of sites including schools and community offices. Natasha discussed promoting mental health in NYS and the different child and family services offered with the investment and support of Governor Kathy Hochul.

**Office of Children and Family Services ([OCFS](#))** - Timothy Bromirski – OCFS provides special education services to court placed individuals under the age of 18. Tim discussed the number of students who took and passed the General Educational Development Test (GED® Test) as the State's high school equivalency (HSE) exam. He acknowledged staffing issues within OCFS, including staff shortages and difficulty maintaining adequate personnel levels. Tim informed CAP members that the population of students served is aging. Currently, two-thirds of the of students served, are age 17 and older. OCFS is collaborating with the Board of Cooperative Educational Services (BOCES) to map out curriculum and courses, ensuring alignment with learning standards.

**Department of Corrections and Community Supervision ([DOCCS](#))** - Joshua Woodworth - DOCCS provides special education services to incarcerated individuals, age 18 until age 22, at 14 designated facilities. Josh described transition programs to support successful reentry as individuals return to their community and enroll in an educational setting. The Division of Education will be transitioning over to Frontline to manage IEPs. Josh also provided updates regarding improvements with an initiative in reading remediation and technology.

**Office of People with Developmental Disabilities ([OPWDD](#))** - Chad Colarusso OPWDD provides supports and services for people with developmental disabilities. Chad discussed family supports and OPWDD's expanded advocacy efforts to help individuals navigate their services. OPWDD is wrapping up the self-direction evaluation. Chad reported that access to Medicaid services will impact changes to the website and agency.

### **CAP Subcommittee Recommendations**

On the first day, subcommittees were given time to work together to review submitted drafts. The second day, Vice chairperson Dudek urged subcommittees to review the draft recommendations submitted, and determine how they relate to the Indicators for New York State's APR. The subcommittees were asked to schedule two additional subcommittee meeting dates that will take place before the May meeting. Subcommittees were also asked to draft and submit two questions for Commissioner Rosa by March 15. The Executive Committee will review the questions, make any necessary revisions, and present them to the CAP designees.

No formal recommendations from either committee were submitted for vote at this time.

### **Public Comment**

No public comment provided

### **Closing**

Chairperson Williams thanked everyone for their support.

**MOVED**, that the February 2025, CAP meeting be adjourned.

Motion by: Andrew Jordan

Second by: Stacey Lyles

Action: Meeting Adjourned

Chairperson Williams adjourned the February 2025 CAP meeting at 11:51am