

# State Performance Plan

## Indicator 15: Resolution Sessions



### Description of Stakeholder Engagement Activities and Results:

The New York State Education Department (NYSED) is currently developing the State Performance Plan/Annual Performance Report (SPP/APR) for the new six-year cycle for federal fiscal year (FFY) 2020-2025. NYSED obtained stakeholder input using two central approaches:

- Broad public engagement and input through online surveys between October and November 2021; and
- Virtual meetings with stakeholder groups in November 2021.

The Office of Special Education (OSE) created a [Stakeholder Involvement](#) webpage with SPP/APR resources to promote feedback and engagement. This included a message from New York State Board of Regent member, Regent Cea, about the [SPP Stakeholder Meetings](#), an [SPP Stakeholder Invitation Letter](#), [At-a-Glance State Performance Plan Summary of Indicators 1-17](#), [Getting to Know New York's SPP/APR Handout](#), and SPP/APR FFY 2020-2025: [General Overview Presentation](#).

For Indicator 15, the OSE created the following resources designed to engage stakeholders and build capacity in data analysis, evaluating progress in meeting New York State targets, the consideration of existing improvement activities, and the development of potential new improvement activities:

#### Resource Links

##### [Indicator 15: Hearing Requests Resolved by Resolution Session Handout](#)

*A summary of the data used to measure this Indicator and existing and proposed improvement activities.*

##### [Introduction](#)

*An overview of frequently used terms and regulatory requirements regarding resolution sessions.*

##### [Measurement](#)

*A description of how this indicator is measured.*

##### [Data](#)

*Past trend data of reported resolution settlement agreement performance from New York State, comparable states, and national data to evaluate New York State's progress in this Indicator.*

##### [Improvement Activities](#)

*Presentation of NYSED's current and proposed improvement strategies for Indicator 15.*

##### [Target Setting](#)

*Presentation of NYSED's proposed Indicator 15 targets and methodology used to establish baseline and targets.*

##### [Closing](#)

*Additional resources to provide feedback and to evaluate school district performance on this Indicator.*

# Soliciting Public Input:

## *Virtual Stakeholder Meetings*

Five virtual stakeholder meetings were held for Indicator 15. Meetings occurred both during the day and in the evening to accommodate different schedules. A total of 43 stakeholders participated in the meeting, including 12 parents. The meetings included an overview of the SPP/APR and viewing of the pre-recorded webinar modules. Each session sought stakeholder feedback on the trend data and how to use this data to evaluate New York State's progress to inform target-setting and improvement activities, including what activities could be installed, maintained, or strengthened to address improvements in resolution session outcomes and whether the proposed SPP targets for Indicator 15 were rigorous and attainable.

## *Online Survey*

Between October to November 2021, a total of 22 stakeholders completed the online survey for Indicator 15. The Indicator 15 online survey sought stakeholder feedback to evaluate the effectiveness of potential new improvement activities in increasing the number of resolution meetings and resolution settlement agreements, and whether the proposed SPP targets for Indicator 15 were rigorous and attainable.

Themes of the stakeholder feedback received in the virtual meetings and online surveys on Indicator 15 included:

- The importance of training school districts on how to hold effective resolution meetings.
- The need to conduct a thorough analysis, including input from all stakeholders, in order to understand why more resolution meetings are not resolved with agreement in New York State.
- The need to improve the OSE's monitoring of districts to ensure all resolution meeting data is collected and reported.
- The value of collaborating with advocates and providing training in order to increase the percentage of resolution session settlement agreements reached.

Following the collection of stakeholder feedback from the online survey and virtual meetings, internal workgroups comprised of NYSED OSE and Information and Reporting Services staff reviewed stakeholder responses to identify where recommendations for target-setting and/or improvement strategies could be amended to better align with the input received from parents, school administrators, educators, mediators, advocacy organizations, community members and other interested parties. The results of the OSE's incorporation of stakeholder feedback and evaluation of Indicator 15 progress with stakeholders is reflected in NYSED's 2020-2025 SPP/APR targets and OSE's development of improvement strategies as summarized further in this report.

## Stakeholder Meetings and Online Survey

Five virtual stakeholder meetings were held to discuss Indicator 15

Nov. 3<sup>rd</sup> 9:00 – 11:30 AM

Nov. 10<sup>th</sup> 9:00 – 11:30 AM

Nov. 10<sup>th</sup> 6:00 – 8:30 PM

Nov. 18<sup>th</sup> 1:00 – 3:30 PM

Nov. 18<sup>th</sup> 6:00 – 8:30 PM

A total of 43 stakeholders participated in the meetings, including 12 parents.

An online survey was published to collect stakeholder feedback over a six-week period.

A total of 22 stakeholders completed an online survey, including 12 parents.

NYSED values its partnership with parents and other key stakeholders in our ongoing efforts to improve outcomes for students with disabilities throughout New York State. Thank you to all who participated in a meeting or survey.

## Feedback on Improvement Strategies:

Following the evaluation of Indicator 15 trend data (past targets and performance), stakeholder presentations included a description of improvement strategies with requested feedback on what activities should be considered, maintained, or strengthened to address improvements in data collection for Indicator 15 and increase the number of resolution session settlement agreements reached. The presented information and solicited feedback from a variety of stakeholders, including parents and educators, is intended to increase the number of resolution meetings held, improve outcomes and meet the objectives of Indicator 15.

## Improvement Strategies Presented:

*Existing Improvement Activities to Improve Indicator 15 Outcomes:* the OSE presentation included a summary of current improvement activities such as the May 2019 Compliance Assurance Plan created for the New York City Department of Education (NYCDOE) in which the district was required to develop methods to more effectively use resolution sessions to resolve due process hearing complaints, as well as develop a plan to ensure that staff representing the district at resolution meetings are authorized to enter into settlement agreements. The presentation also included a list of documents available on the OSE website that provide guidance on resolution sessions and an updated Procedural Safeguards Notice, revised July 2017.

*Potential New Improvement Strategies to Improve Indicator 15 Outcomes:* the OSE presented six potential new improvement activities for stakeholder consideration. These include the OSE reviewing its data collection processes and reporting requirements regarding resolution meetings, providing guidance to districts to improve data collection and reporting, increasing monitoring of district submission of this data, revising its electronic data collection and monitoring system, and providing guidance to districts on conducting effective resolution sessions. An additional improvement strategy was to require the NYCDOE to develop and implement new procedures to initiate a resolution session upon the parent's filing of an impartial hearing request.

## Stakeholder Feedback on Improvement Strategies:

Participants in the virtual meetings and online survey were asked if they agreed with each of the proposed improvement activities to ensure accurate resolution meeting data collection and increased Indicator 15 outcomes. The majority of stakeholders, 100 percent of meeting participants and 88 percent of survey participants, agreed that revising OSE's electronic data collection and monitoring system to require additional resolution meeting data and providing guidance to districts on conducting effective resolution sessions, would be the most useful improvement strategies for the OSE to consider.

Ninety four percent of survey respondents and 89 percent of meeting participants indicated that OSE providing guidance to districts to improve data collection and reporting would also be a highly valued improvement strategy. Eighty eight percent of survey respondents and 89 percent of meeting participants indicated strong support for OSE reviewing its data collection processes and reporting requirements regarding resolution meetings.

In addition to the improvement activities presented, stakeholders provided the following for consideration:

- Analyze why NYCDOE has such a high rate of due process complaints.
- Survey districts to find out the reasons for resolution session settlement agreements not being reached and analyze the issues with input from stakeholders.
- Provide training to district staff who facilitate resolution sessions on how to negotiate a settlement with parents.
- Improve the districts' access to technical support for resolution meeting reporting requirements.
- To get a better picture of the rate of resolution settlement agreements in New York State, it would be helpful to disaggregate the data and see how districts outside of the NYCDOE are performing.

Stakeholder responses will be used by the OSE to identify priority areas for improvement and assist in the development of the strategies that will be implemented to improve resolution meeting data collection and meet performance objectives for Indicator 15 in the 2020-2025 SPP/APR.

## Responses on Indicator 15 Targets:

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Indicator 15 Target Setting: NYSED proposed the following targets for Indicator 15:

Baseline FFY 2019	FFY	2020	2021	2022	2023	2024	2025
1.02%	Target >=	1.00-2.00%	1.00-2.00%	1.00-2.00%	1.00-2.00%	1.00-2.00%	2.0%

Forty-two percent of stakeholders indicated that the targets were too low with nine percent indicating the targets were too high. A greater number of respondents, 48 percent of stakeholders, agreed that the Indicator 15 proposed recommended targets were “just right” with the understanding that when OSE changes its data reporting and collection requirements, these targets will be revisited and revised if necessary, with stakeholder input. **The New York State 2020-2025 SPP/APR will reflect the proposed Indicator 15 targets as the final targets.**