

**New York State's  
Commissioner's Advisory Panel for Special Education Services  
May 13-14, 2021 Meeting Minutes**

New York State's (NYS) Commissioner's Advisory Panel (CAP) for Special Education Services held its scheduled spring meeting May 13-14, 2021 via Zoom.

**MEETING OF THE COMMISSIONER'S ADVISORY PANEL, May 13th at 9:00 a.m.**

**Members Who Participated:**

Natasha Bermudez, Kimberly Black, Naomi Brickel, Tim Bromirski, Kathy Ralabate Doody, Kristen Dudek, Brett Eisenberg, Edward Escobar, Jacqueline Frey, Alexis Harrington, Laretta Joseph, Chris Kus, Barbara Martorana, Namita Modasra, Eileen Murtha, James Nolan, Lori Podvesker, Brian Pulvino, Yvonne Sinisgalli, Kristie Stromecki, Annmarie Urso, Mara Vanderzell, Danielle Williams, Mary-Margaret Zehr

**MEETING OF THE COMMISSIONER'S ADVISORY PANEL, May 14<sup>th</sup> at 9:00 a.m.**

**Members Who Participated:**

Lynnette Aqueron, Suryati Barnes, Natasha Bermudez, Kimberly Black, Naomi Brickel, Tim Bromirski, Kristen Dudek, Edward Escobar, Jacqueline Frey, MaryJo Ginese, Alexis Harrington, Laretta Joseph, Chris Kus, Barbara Martorana, Namita Modasra, Eileen Murtha, James Nolan, Lori Podvesker, Brian Pulvino, Yvonne Sinisgalli, Kristie Stromecki, Annmarie Urso, Mara Vanderzell, Danielle Williams, Mary-Margaret Zehr

The following New York State Education Department (NYSED) staff also participated in the meetings: Assistant Commissioner, Office of Special Education (OSE), Christopher Suriano; OSE Director of Special Education Services, Joanne LaCrosse; OSE Supervisor - Policy Unit, Alison Conners; OSE Associates/CAP Designees: Sandra Cote, Jennifer Hedderman; OSE Associate: Kelly o'cien. For better broadcast use their name and constituency in the chat box. Members of the public were also asked to identify themselves by including their name and affiliation in the chat box.

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

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**ACTION ITEMS**

**February 11-12, 2021 CAP Meeting Minutes**

CAP Secretary Danielle Williams provided a high-level summary of the February 2021 CAP Minutes were sent to members prior to the meeting for review. Members were given the opportunity to provide comments/corrections to the minutes. Chairperson Escobar asked members for a motion to accept the minutes. A vote was taken by Zoom poll.

**MOVED**, that the February 11-12 meeting minutes be approved.

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**Question 2: Should the State Education Department (SED) consider using a different term for this disability classification?**

Yes - 100%

No – 0%

**Question 3: Terms used by other states include: “Emotional Disability”, “Emotional/Behavioral Disability or Disorder”, “Serious Emotional Disturbance”, “Serious Emotional Disability or Disorder”, and “Emotional Impairment.” What term do you think SED should be using?**

- A. Emotional Disability/Disorder - 24%
- B. Serious Emotional Disability/Disorder – 0%
- C. Emotional/Behavioral Disability - 36%
- D. Emotional Impairment - 12%
- E. Emotional Disturbance (no change recommended) – 0%
- F. Other (enter suggestion in the chat box) - 28%
  - Chat box suggestions:
    - Social/Emotional Impairment
    - Mental Health Disability
    - Emotional/Behavioral Challenges



- Use FACE Centers that are directly working with districts.

**Member responses on ways that CAP members can help OSE reach diverse groups of parents:**

- Use contacts, listservs, and social media of CAP members who are affiliated with organizations.
- Use school districts' social media. This is very effective. Provide districts with videos to post or links they can share on their websites and social media.
- Contact students with disabilities Parent Teacher Associations (PTA).
- Leverage social media of other state agencies such as the Office of Mental Health, Office for People With Developmental Disabilities, etc.

**2. In addition to an on-line survey and virtual stakeholder meetings, do you have any other suggestions for how OSE could obtain stakeholder input on proposed targets and identifying improvement activities?**

**Member responses:**

- Reach out to State associations or State chapters of national associations. Many CAP members are involved in other initiatives that could be leveraged to obtain stakeholder input. Also, consider modes of contact other than email.
- Work with BOCES district superintendents.
- Utilize the big five districts that have parent leaders who can help disseminate information.
- Use Community boards, Advocacy organizations and PTAs.
- Leverage FACE Centers.
- Online surveys are better than print from a parent perspective - Consider format and communication to parents about a survey. Partner with districts who can encourage participation and provide support.
- Use Charter School Centers.
- Use special education parent social media platforms.

**3. For indicators 8 and 14, in addition to race and ethnicity, what other demographic should OSE consider for reporting the extent to which survey respondents are representative?**

- **age of student;**
- **disability category;**
- **gender;**
- **geographic location;**
- **another category?**

**Member responses:**

- Recommend looking at socioeconomic status.
- Disability category is especially important for both indicators.
- Given the conversation about “emotional disturbance,” agree with recommendation to use disability category. Disability category can impact a parent’s experience – can be very different based on disability category.
- It is important to track data for post-school outcomes based on disability.
- Age is another important demographic.
- Can the State use more than one additional demographic? Recommend using age, socioeconomic status, and disability category.

**Public Comment**

Stephanie Fisher Kindestin, a Special Education and Reading Interventionist from the New York City (NYC) Department of Education, provided comment on dyslexia screening and remediation policy in NYS. Ms. Kindestin regularly sees indicators of dyslexia in students but does not have the tools to remediate this. She also informed CAP that there is a high rate of dyslexia among persons who are in

prison. Ms. Kindestin stated that school psychologists do not have access to assessments for dyslexia. She believes NYS is well behind other states on policy for dyslexia and recommended something be done to address this.

Rue Zalia Watkins, from the Mental Health Association of NYC provided comment on the disability category "emotional disturbance." She would like to see this label changed. Ms. Watkins reported that as NYS works on changing this label, she hopes that the focus is put on the best way to educate these children. Ms. Watkins stated that NYS not only needs to change the label, but these children also need access to the same high-quality education as children without disabilities.

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**MOVED**, that CAP make a recommendation for NYSED to partner with NYSUT to issue a survey to gather information on special education teacher shortages.

Motion by: Barbara Martorana

Seconded by: Lori Podvesker

Action: Motion carried unanimously.

**MOVED**, that CAP present to NYSED a white paper on teacher shortages for publication.

Motion by: Barbara Martorana

Seconded by: Kriste Stromecki

Action: Motion carried (one member voted no).

**MOVED**, that CAP recommend that NYSED consider a process for IHEs to award additional individual pathway certification.

Motion by: Barbara Martorana

Seconded by: Kristie Stromecki

Action: Motion carried unanimously.

**MOVED**, that CAP recommend that NYSED expand the offerings that provide the 30 credit courses in a concentrated area to represent "enough credit for graduate study."

Motion by: Barbara Martorana

Seconded by: Kristie Stromecki

Action: Motion carried (one member abstained).

**3. Legislative/Regulatory/Policy Subcommittee:** The subcommittee reviewed legislation to remove the restriction for who a Licensed Behavior Analyst can serve. The bill was recently revised and now uses more specific language about who can be serviced. The committee needs to review the revised bill to ensure the language is broad enough and is not more restrictive than the initial bill. Prior to putting forward a recommendation forward to CAP for a vote, the subcommittee will review the revised bill language to determine if they continue to support the proposed legislation.

**4. Least Restrictive Environment (LRE)/Inclusion Subcommittee:** The subcommittee recognizes that this issue touches on all areas of CAP and cannot operate in a bubble. Focus this year has been on the identified priority - reviewing and analyzing data to maximum participation and focus on best practices. Looked at challenges and hinderances to this. Main area of focus has been on understanding of LRE. Misunderstanding of LRE (What it is and what it isn't") has led to NYS not doing well on this indicator area and not meeting the needs of students. Broke this down into three areas that would help support understanding of LRE: 1.) Look at what the challenges are; 2.) Look at best practices already exist; and 3.) Consider what training that might need to be provided. Discussed conducting surveys and seeing what other best practices exist, including what other states are doing. When looking at best practices, 173TJ 0.094J -0.026 Tw7 (ni)28ei4 (e)10.5udicbn(r)-5.9 ( bes)Be (d )JTJ -0.005

**Business Subcommittee:** The subcommittee meets every month and work has included: development of a new application for CAP membership, which is now posted on the CAP website and review of the By-laws, including a discussion of Roberts Rules of Order.

### **Annual Report**

Ms. Conners informed members that the Executive Committee will be developing the CAP Annual Report and seeking member input. Subcommittees were informed that they will need to draft a summary of their work for the year and submit this to the CAP Executive Committee to include in the report. NYSED will provide the template to be used this year based on the format used for the 2019-20 CAP Annual Report.

### **2021-22 CAP Meetings**

Members and subcommittees were encouraged to reach out to the Executive Committee with suggested agenda topics for the 2021-22 CAP Year.

Members were polled on the following questions:

- 1. How often should CAP meet during the 2021-22 school year?**
  - 3 times per year - 41%
  - 4 times per year - 53%
  - 5 times per year - 6%
  
- 2. Should the 2021-22 virtual CAP meetings be conducted over one or two days?**
  - One day - 12%
  - Two days - 88%
  
- 3. Based on your response to Question #3, how long should the virtual CAP meetings be?**
  - 1-2 hours - 18%
  - 2-3 hours - 76%
  - 3-4 hours - 6%
  
- 4. When should the first virtual CAP meeting be held?**
  - September 2021 - 29%
  - October 2021 - 59%
  - November 2021 - 12%
  
- 5. If allowed, would you be willing to travel to Albany for an in-person meeting(s) during the 2021-22 school year?**
  - Yes - 100%
  - No – 0%

### **Closing**

Chairperson Escobar adjourned the May 2021 CAP meeting.