

**New York State's Commissioner's Advisory Panel for Special Education Services
May 19-20, 2022, Meeting Minutes**

New York State's (NYS) Commissioner's Advisory Panel (CAP) for Special Education Services held its scheduled spring meeting on May 19-

processes and procedures for monitoring local education agencies for compliance and performance, and the correction of non-compliance. OSE has met with OSEP to provide additional information and clarification as requested. Ms. LaCrosse described the progress of the monitoring review thus far and will provide CAP with an update on OSEP's findings at a future meeting.

Due Process Proposed Regulations: Information was provided regarding proposed regulatory changes to the due process system. Members were given links to the related Board of Regents items, scheduled public hearings and call for public comment during the meeting and subsequently through the CAP Listserv. To address the volume of due process special education complaints filed annually in NYC, NYSED has [proposed the amendment of sections 200.2\(e\) and 200.5\(j\) of the Regulations of the Commissioner of Education relating to Special education due process system procedures](#) to address the rotational selection process for assignment of impartial hearing officers (IHO) to due process complaints, provide clarification of terms and promote timeliness of impartial hearing decisions, and address how IHOs must handle conflicts of interest. NYSED also [proposed amendments to sections 200.5\(j\) and 200.21\(a\) and addition of section 200.5\(o\) to the Regulations of the Commissioner of Education relating to special education due process procedures](#) to permit the immediate appointment of an IHO to conduct an accelerated review of a due process complaint, establish the process by which a parent may request an accelerated review and indicate the timelines and procedures for an IHO to issue an accelerated order of relief or finding, and establish the compensation rate for IHOs that have been appointed to accelerated due process cases.

Special Educator Certification Proposed Regulations: NYSED collects data on statewide teacher shortage areas and reports the shortage areas annually to the U.S. Department of Education. Special education is one of the persistent statewide shortage areas. To address the shortage of certified special education teachers, the Department has [proposed amendments to the Regulations of the Commissioner of Education to establish the Students with Disabilities \(All Grades\) certificate](#). This certificate will permit special education teachers to teach pre-Kindergarten through grade 12 and will give school districts the flexibility to place special education teachers in the grade levels with the highest staffing needs. CAP members were encouraged to view the [Supplemental Presentation: Proposed Students with Disabilities \(All Grades\) Certificate](#) and to provide public comment.

Office of Special Education Technical Assistance Resources

Jason O'Connell, Associate in OSE's PDSS Unit, presented to CAP on the [OSE Educational Partnership](#), a coordinated and cohesive network of support focused on enhancing services and supports for students with disabilities ages birth to 21 which provides support to educational organizations (districts, schools, approved private schools, and preschools) using an intensive team approach to build organizational capacity through technical assistance and professional development that is implemented with consistency across New York State. The OSE Educational Partnership's mission is to support and empower schools and families to improve equity, access, opportunities, and outcomes for all students with

information for upcoming professional development and training offerings, and descriptions of training packages and sessions. Member were provided the link to [NYSED OSE Educational Partnership website](#) where they can view the current training packages that are available.

3. **Teacher/Provider Certification/Recruitment and Retention:** Kim Black and Suryati Barnes were designated as chair and co-chair. They have been brainstorming challenges related to teacher shortages. Alison Connors suggested they follow-up with Alana Wickware, their NYSED Liaison, for data available about the proposed changes.
4. **Least Restrictive Environment/Inclusion:** Roles for this subcommittee have not been established. The subcommittee is looking at previous goals