

**The Empire State Supervisors and Administrators Association (ESSAA)** held its monthly Stakeholder Meeting on Monday, December 7th, 2020, via videoconference with Interim Commissioner of Education, Betty Rosa; Deputy Commissioner for P12 Instructional Support, Kim Wilkins; Assistant Commissioner for Public Affairs, Emily DeSantis; Deputy Commissioner, John D’Agati; Assistant Commissioner for the Office of Accountability, Jason Harmon; and Executive Director of the Office of Educator Quality and Professional Development, Alex Trikalinos.

ESSAA was represented at the meeting by ESSAA President, Carol Conklin-Spillane; ESSAA Executive Director, Mike Starvaggi; ESSAA Executive Vice President, Skip Voorneveld; ESSAA Director of Information Resources, Celia Strino; ESSAA Vice President, Dr. Shireen Fasciglione; ESSAA Vice President, John Rickert; ESSAA Vice President, Tony Baxter; ESSAA Vice President Rick Kimble; ESSAA member, Russ Buckley; and Regents/NYSED Liaison, Paul Scampini.

**Specific Topics discussed during the meeting included:**

*Status of Student Growth Scores With Regards To School Accountability*

Assistant Commissioner Jason Harmon began the meeting by providing some background information regarding the status of Student Growth Scores as they relate to state and federal accountability measures for 2020-21. For 2019-20, due to the COVID-19 crisis, the US Department of Education granted New York a waiver which suspended the required reporting of growth data. In October of this year, The Department of Education issued a statement informing states that they should not expect such waivers to be extended for the current 2020-21 school year. Assistant Commissioner Harmon outlined a “Skip Year”

model that NYSED will be using to calculate growth score data which will be reported. Essentially, the model eliminates data from 2019-20 and compares the 2018-19 school year with data from 2020-21. NYSED will be releasing a guidance document in the near future with more detailed information.

In an effort to ease some mandated data reporting for schools, the Assistant Commissioner also shared plans for NYSED to discontinue the Teacher Student Data Linkage (TSDL) data collection system. He explained that NYSED is now able to collect the required information through other systems.

### *APPR*

In response to the challenges schools are experiencing with completing required teacher observations, Executive Director for the Office of Educational Quality and Professional Development, Alex Trikalinos, provided an update on COVID-19 related changes which will provide flexibility to districts with completing APPR process. Districts will now be allowed to apply for a variance enabling them to make COVID related changes to specific sections of their current APPR plan. It is important to note that the variance can be applied to specific sections of a district's APPR plan and does not require that the entire APPR plan be renegotiated. Mrs. Conklin-Spillane asked whether a signature from each bargaining unit is required when opening the APPR document if only one of the units would be affected by the variance. Executive Director Trikalinos responded that he was not sure but would look into it and get back to us.

Mr. Starvaggi inquired as to how long a variance would be approved for. Mr. Trikalinos responded that while variances can be extended for three years, requests relating to COVID issues should be limited to one year.

### *NYSED Initiatives/Thanks*

Deputy Commissioner Wilkins expressed her thanks for all the cooperation NYSED has received from the field with several ongoing initiatives.

The Deputy Commissioner shared that they have had a response rate of more than 90% to the Digital Equity Survey and the results should be released soon. She added that the information will provide crucial data to support efforts to improve digital access equity across the state.

Deputy Commissioner Wilkins also expressed appreciation for support they have received with NYSED's efforts to monitor the instructional modalities being used across the state.

### *Special Education/DOE Interpretation of Compensatory Services*

Ms. Strino asked for some clarification on how NYSED is interpreting the federal government's use of the term "compensatory services" as it relates to special education services. Ms. Strino feels some clarity and guidance on how schools should respond to students' loss of skills during the COVID-19 closures would be very helpful.

Interim Commissioner Rosa responded that she understands the difficulties schools are facing with trying to effectively deliver hybrid or remote instruction to students who receive multiple levels of support. The Interim Commissioner asked if we could provide specific examples of situations that CSE committees are dealing with to assist NYSED in developing clearer guidance.

Deputy Commissioner Wilkins added that she would also check with Assistant Commissioner for Special Education, Chris Suriano, to provide any additional assistance that might be available.

*Impact of Potential Cancellation of 2021 3-8 Assessments/ Regents Exams on School Accountability Status*

Mr. Scampini asked about how the potential cancellation of 2021 state exams would affect school accountability status. Assistant Commissioner Harmon shared that while NYSED has made formal requests for flexibility from the Department of Education, the DOE does not anticipate granting assessment waivers that were issued last year. He acknowledged that the indicators normally used in evaluating school accountability are currently compromised, but DOE has yet to release any clear alternative guidelines at this time. States are expected to have plans to DOE submitted by February 1, 2021.

Mr. Scampini then asked whether the upcoming administration changes at the federal level could result in modifications to the requirements. Commissioner Rosa responded that she will be participating in a conference call with the new administration's Transition Team on December 16<sup>th</sup>, and may have more information at that time.

Mrs. Conklin-Spillane emphasized to Interim Commissioner Rosa that we need to sustain the recent gains with student participation rates in state assessments and continue advocacy efforts.

*Logistical/Financial Challenges Associated with Mandatory COVID Testing of 20% of School Staff In Schools That Are In Areas Designated As Yellow Zones*

Mrs. Conklin Spillane expressed concerns with the financial and logistical implications of the mandatory COVID testing regulations for 20% of school staff in districts located in Yellow Zones. Interim Commissioner Rosa responded that the Board of Regents continues to work toward finalizing their 2021-22 budget proposals. As part of the process, Board of Regents members are actively engaging in discussions with legislators about the financial strains districts are currently facing. The Interim Commissioner went on to say that she is particularly concerned with the impact the financial constraints, combined with the inequities in digital access, are having on students in urban and rural high need districts.

### *Recording Daily Attendance Requirements Update*

Mr. Baxter asked for clarification on the tracking of daily student attendance in hybrid and remote instructional environments. Specifically, should a student's attendance for in person and remote instruction be recorded collectively, or should his/her attendance in each modality be reported separately? Deputy Commissioner Wilkins responded that she would check into the specifics of his question and get back to us with a response.

### *Observations From the Field*

Dr. Fasciglione expressed appreciation to Interim Commissioner Rosa and the NYSED staff for their ongoing flexibility with amending regulations and the timely release of guidance documents. She also thanked the NYSED staff for the opportunity to conduct open conversations and have our concerns addressed during stakeholder meetings. Mrs. Conklin-Spillane stressed that, despite the fact administrators are frustrated and fatigued with so

many of the uncontrollable variables affecting their roles on a daily basis, they continue to appreciate NYSED's ongoing support.

Interim Commissioner Rosa expressed appreciation to our group and commended us for the quality of the questions we bring to the stakeholder meetings each month. The Interim Commissioner added that many ideas brought up at our meetings have led to further discussions within NYSED departments to guide future efforts.

### *Professional Standards for Educational Leaders (PSELs)*

Mrs. Conklin-Spillane concluded the meeting with a reminder to the NYSED staff about the need to continue the rollout of the Professional Standards for Educational Leaders. Assistant Commissioner D'Agati responded that he would be in contact in the near future to set up a meeting to further the discussion.

#### ***ESSAA Members:***

***If you have any feedback on the foregoing issues or would like to suggest a topic to be addressed with the Commissioner at an upcoming meeting, please e-mail us at [info@essaa.org](mailto:info@essaa.org). New topics will be submitted to our Stakeholder Committee for consideration.***