



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** The Honorable the Members of the Board of Regents  
**FROM:** Tony Lofrumento *Anthony Lofrumento Jr*  
**SUBJECT:** Summary of the September 2019 Meeting  
**DATE:** September 26, 2019  
**AUTHORIZATION(S):** *Elizabeth R Berlin*

### **EXECUTIVE SUMMARY**

#### **Issue for Decision**

Review of the Summary of the September 2019 Meetings of the Board of Regents.

#### **Proposed Handling**

Approval of the Summary of September 2019 meetings.

#### **Procedural History**

This document summarizes the actions of the Board of Regents during the monthly meeting and is brought before the Board the following month for approval.

#### **Recommendation**

Approval of the Summary of the September 2019 meetings.

#### **Timetable for Implementation**

Effective October 8, 2019.

**VOTED**, that the Summary of the September 2019 Meetings of the Board of Regents of The University of the State of New York be approved.



***SUMMARY OF THE SEPTEMBER 2019 MEETING***

***OF THE BOARD OF REGENTS***

***OF***

***THE UNIVERSITY OF THE STATE OF NEW YORK***

***Held at the State Education Building  
Albany, New York***

***September 9 and 10, 2019***

***Anthony Lofrumento, Secretary  
Board of Regents***

## **THE BOARD OF REGENTS**

The Board of Regents of The University of the State of New York held a public session on Monday, September 9, 2019 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, September 9<sup>th</sup> at 9:00 a.m.**

#### **Board Members in Attendance:**

Betty A. Rosa, *Chancellor*

T. Andrew Brown, *Vice Chancellor*

Roger Tilles

Lester W. Young, Jr.

Christine D. Cea

Wade S. Norwood

Kathleen M. Cashin

James E. Cottrell

Josephine Victoria Finn

Judith Chin

Beverly L. Ouderkirk

Catherine Collins

Judith Johnson

Nan Eileen Mead

Elizabeth S. Hakanson

Luis O. Reyes

Susan W. Mittler

Also present were Acting Commissioner, Elizabeth Berlin; Acting Counsel and Deputy Commissioner for Legal Affairs, Shannon Tahoe; and, Secretary, Board of Regents, Anthony Lofrumento.

### **ACTION ITEM**

#### **Appointment**

#### **Appointment of Interim Commissioner of Education and President of The University of the State of New York BR (A) 4**

**MOVED**, that the Board of Regents approve the appointment of Elizabeth R. Berlin to the position of Interim Commissioner of Education and President of The University of the State of New York, effective September 10, 2019.

**Motion by:** Regent Christine D. Cea  
**Seconded by:** Regent Luis O. Reyes  
**Action:** Motion carried unanimously.

Chancellor Rosa provided words of reflection and introduced the 2019 Opening Bell Activities – Part I presentation, showcasing Regents opening day school visits (Attachment I).

### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Monday, September 9<sup>th</sup> at 4:15 p.m. to discuss litigation and personnel matters.

**Motion by:** Vice Chancellor T. Andrew Brown  
**Seconded by:** Regent Susan W. Mittler  
**Action:** Motion carried unanimously.

### **PRESENTATION**

#### **Rewriting the Narrative: What’s Working in High Schools Across New York State for Young Men of Color**

Regent Young, Penny Ciaburri, CEO, PLC Associates and Dr. Laurence W. Aronstein provided a video clip from the spring symposium and an update on the progress of the Successful Schools grant. (Attachment II).

#### **Pathways to a New York State Diploma**

Kimberly Wilkins, Deputy Commissioner, P-12 Instructional Support continued the July discussion providing an overview along with an updated timeline (Attachment III).

Chancellor Betty A. Rosa adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, September 10<sup>th</sup> at 10:45 a.m.**

**Board Members in Attendance:**

Betty A. Rosa, *Chancellor*  
T. Andrew Brown, *Vice Chancellor*  
Roger Tilles  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
Kathleen M. Cashin  
James E. Cottrell  
Josephine Victoria Finn  
Judith Chin  
Beverly L. Ouderkirk  
Catherine Collins  
Judith Johnson  
Nan Eileen Mead  
Elizabeth S. Hakanson  
Luis O. Reyes  
Susan W. Mittler

Also present were Interim Commissioner, Elizabeth Berlin; Acting Counsel and Deputy Commissioner for Legal Affairs, Shannon Tahoe; and, Secretary, Board of Regents, Anthony Lofrumento.

Interim Commissioner Berlin recognized former Teachers of the Year in attendance, 2005 Teacher of the Year Elizabeth Day, 2015 Teacher of the Year Charles Giglio, 2016 Teacher of the Year Dana McDonough, 2017 Teacher of the Year Amy Hysick and 2019 Teacher of the Year Alhassan Susso.

Regent Young provided thoughts for a moment of reflection regarding the impact of hurricane Maria on the Bahamas – and those with relatives here.

Chancellor Rosa took a moment of silence for the victims of September 11, 2001. She also introduced the 2019 Opening Bell Activities – Part II presentation, showcasing Regents opening day school visits (Attachment IV).

**ACTION ITEMS**

**Charter Applications  
BR (A) 1**

**MOVED**, that the Board of Regents approve each application in accordance with the recommendations contained in the summary table (see Appendix I.)

**Summary of the July 2019 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the July 2019 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Josephine Victoria Finn  
**Seconded by:** Regent Christine D. Cea  
**Action:** Motion carried unanimously.

**PROGRAM AREA CONSENT ITEMS**

**Cultural Education**

**Proposed Amendment to Sections 179.3 and 179.5 of the Regulations of the  
Commissioner of Education, Relating to Educational Broadcast Councils and  
Radio Stations  
BR (CA) 1**

**MOVED**, that Sections 179.3 and 179.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 25, 2019.

**Higher Education**

**Conferral of Degrees: Dowling College, New York Studio School of Drawing,  
Painting & Sculpture and Glasgow Caledonian New York College  
BR (CA) 2**

**MOVED**, that the Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at Dowling College, The New York Studio School of Drawing, Painting & Sculpture and Glasgow Caledonian New York College respective degree as listed below:

**Dowling College**

The following students have completed the requirements for the respective awards as indicated:

*Master of Science (M.S.)*  
Cagliano, Michelle M.  
Cannon, Jaclyn Whitney

*Bachelor of Science (B.S.)*

Benizzi, Diane M.

*Bachelor of Business Administration (B.B.A.)*

Grant, Robert

Thavenius, Matthew John

### **New York Studio School of Drawing, Painting, & Sculpture**

The following students have completed the requirements for the Master of Fine Arts (M.F.A.) award:

Baker, Charity Lynn

Bindell, Binah W.

Cittadini, Carlo

Cuilan, Emilio Jacob

Drewitt, Jennifer Margaret

Heijnen, Yolande

Jiménez-Cerdanya, Eva

Luchik, Brendan

Magbee, Laura

Matsson, Madeleine Fia

McGovern, Georgia D.

Pang, Misato

Polubiec, Michael James

Weil, Laura

### **Glasgow Caledonian New York**

The following students have completed the requirements for the Master of Science (M.S.) award:

Adepoju, Damilola

Decolli, Brittany

Gabriel, Michelle Blair

Hickey, Leigh

Mastrarrigo, Julie

Neustadt, Miriam

Scotch, Mariza

Wong, Lorenza Lecaroz

### **Appointments to the State Professional Standards and Practices Board for Teaching BR (CA) 3**

**MOVED**, that that the Board of Regents approve the following appointments to the State Professional Standards and Practices Board for Teaching: Julie Gorlewski (higher education member) and Joanna Masingila (higher education member), each for a four-year term beginning September 19, 2019 and ending September 30, 2023.

**Proposed Amendment to Section 80-5.17 of the Regulations of the Commissioner of Education Relating to the Conditional Initial Certificate Requirements  
BR (CA) 4**

**MOVED**, that Section 80-5.17 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 25, 2019.

**Proposed Amendments to Section 80-6.1 of the Regulations of the Commissioner of Education Relating to Continuing Teacher and Leader Education for Educators in Nonpublic Schools  
BR (CA) 5**

**MOVED**, that §80-6.1 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 25, 2019.

**Mercy College, Manhattan Campus: Master Plan Amendment to Offer a Bachelor of Arts (B.A.) Degree Program in Liberal Arts and Sciences  
BR (CA) 6**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize Mercy College to offer its first bachelors-level program in the Humanities discipline area at the Manhattan Campus, a Bachelor of Arts (B.A.) in Liberal Arts and Sciences. The amendment will be effective until September 10, 2020, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Permission to Operate in New York State:**

- **Rutgers, The State University of New Jersey**
  - **Instituto de Estudios Superiores de la Empresa, IESE Business School**
  - **Stanford University**
  - **The Reformed Theological Seminary**
- BR (CA) 7**

**MOVED**, that the Board of Regents renew Rutgers – The State University of New Jersey’s permission to operate in New York to offer a Master of Arts (MA) degree program in Political Science – Concentration in United Nations Studies, for a five-year period beginning on October 1, 2019 and ending on September 30, 2024.

**MOVED**, that the Board of Regents renew IESE Business School’s permission to operate in New York to offer selected modules from three of its Master of Business Administration (MBA) programs. This approval will be effective for a five-year period beginning on October 1, 2019 and ending on September 30, 2024.

**MOVED**, that the Board of Regents renew and amend Stanford University's permission to operate in New York to offer a "Stanford in New York City" program, comprising of an internship and courses related to the artistic, architectural, and cultural life in New York City, as well as coursework in business, media, finance, and global issues. This approval will be effective for a five-year period beginning on October 1, 2019 and ending on September 30, 2024.

**MOVED**, that the Board of Regents renew the Reformed Theological Seminary's permission to operate in New York to offer part (up to 49 percent) of its Master of Arts in Biblical Studies degree program in New York City. This approval will be effective for a five-year period beginning on October 1, 2019 and ending on September 30, 2024.

**Proposed Amendment to Section 80-1.5 of the Regulations of the Commissioner of Education Relating to the Creation of Safety Nets for the Science Content Specialty Tests (CSTs)  
BR (CA) 8**

**MOVED**, that Section 80-1.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 25, 2019.

**The New School: Master Plan Amendment Concerning the Bachelor of Business Administration (B.B.A.) Degree Program in Strategic Design and Management  
BR (CA) 9**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize The New School to change the discipline area designation of the Bachelor of Business Administration (B.B.A.) degree program in Strategic Design and Management from Fine Arts to Business. The amendment will be effective until September 10, 2020, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

**Proposed Amendment to Sections 52.21 of the Regulations of the Commissioner of Education Relating to the Requirements for Transitional D Programs that Lead to School District Leader Certification  
BR (CA) 10**

**MOVED**, that §52.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 25, 2019.

**Professional Practice**

**(Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions for Service on Licensure Disciplinary and/or Licensure Restoration and Moral Character Panels**

**BR (CA) 12**

**MOVED**, that the Board of Regents should approve the proposed (re)appointments.

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 13**

**MOVED**, that the Regents approve the recommendations of the Committee on the Professions regarding the licensing petition and degree conferrals.

**Mercy College, Manhattan Campus: Master Plan Amendment to Offer a Master of  
Science (M.S.) Program in Nursing Education  
BR (CA) 14**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize Mercy College to offer its first masters-level program in the Health Professions discipline area at the Manhattan Campus, a Master of Science (M.S.) in Nursing Education. This amendment will be effective until September 30, 2020, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Proposed Amendment to Section 63.6 of the Regulations of the Commissioner of  
Education Relating to the Certification of Manufacturers and Wholesalers for  
Export Purposes  
BR (CA) 15**

**MOVED**, that paragraph (6) of subdivision (c) of section 63.6 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 25, 2019.

**Proposed Amendment to Section 64.7 of the Regulations of the Commissioner of  
Education Relating to the Execution by Registered Professional Nurses of Non-  
Patient Specific Orders to Administer Immunizations  
BR (CA) 16**

**MOVED**, that subdivision (a) of section 64.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 25, 2019.

**MOVED**, that the Regents approve the consent agenda items.

**Motion by:** Regent Elizabeth S. Hakanson  
**Seconded by:** Regent Beverly L. Ouder Kirk  
**Action:** Motion passed unanimously.

## **STANDING COMMITTEE REPORTS**

### **CULTURAL EDUCATION**

Your Committee on Cultural Education had its scheduled meeting on September 9, 2019. Regent Roger Tilles and Regent Judith Johnson, Co-Chairs of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Co-Chair, Regent Johnson, Co-Chair, Regent Cea, Regent Cottrell, Regent Ouderkirk and Regent Mead. Regents, in addition to Cultural Education Committee members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regent Cashin, Regent Norwood, Regent Collins, Regent Hakanson, Regent Reyes, and Regent Mittler. Also, in attendance were Interim Commissioner Beth Berlin and Counsel Shannon Tahoe.

### **ITEMS FOR DISCUSSION**

Co-Chairs Regent Tilles and Regent Johnson welcomed everyone. Deputy Commissioner Schaming provided a brief overview of the Office of Cultural Education's history and the importance of each of its program areas: the State Archives, the State Library, the State Museum, State Summer School of the Arts, and Public Broadcasting.

#### **Libraries and the 2020 Census - [CE (D) 1]**

Lauren Moore, State Librarian, discussed how public libraries will play a critical role in the 2020 census. In 2020, the United States will hold its first digital census, which raises concerns for digital equity advocates because nearly 35% of U.S. adults do not have internet at home. Libraries in New York understand that they will be a key determining factor in creating the most accurate count possible in 2020. Libraries are already a critical site for internet access and support for digitally marginal populations.

#### **Overview of Consent Agenda Item**

Deputy Commissioner Mark Schaming presented an overview of the Permanent Adoption of Amendment to the Commissioner's Regulations Relating to Educational Broadcast Councils and Radio Stations item scheduled on the consent agenda for approval at the Tuesday, September 10 Full Board meeting.

### **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on September 9, 2019. All members were present.

### **MATTERS NOT REQUIRING BOARD ACTION**

**2019 Grades 3-8 ELA and Mathematics Test Results [P-12(D)1]** – Your Committee reviewed the results of the 2019 Grades 3–8 English Language Arts (ELA) and Mathematics Tests. The State did not make significant changes to the 2019 assessments; therefore the 2019 results were compared with the 2018 results. However, due to the change in 2018 to the two-session test design and the performance standard review process, the results from the assessments administered prior to 2018 were not compared with 2018 and 2019 results.

**Proposed Amendment to Sections 155.1, 155.2, 155.3, 155.4, and 155.8 of the Regulations of the Commissioner of Education Relating to Educational Facilities to Implement Sections 52-b, 52-e, and 52-f of Part YYY of Chapter 59 of the Laws of 2019 [P-12(D) 2]** - Your Committee discussed proposed amendments to Sections 155.1, 155.2, 155.3, 155.4, and 155.8 of the Regulations of the Commissioner of Education relating to Educational Facilities to Implement Sections 52-b, 52-e, and 52-f of Part YYY of Chapter 59 of the Laws of 2019.

**Proposed Amendment of Sections 135.1 and 135.4 of the Commissioner’s Regulations Relating to Extended Eligibility for Participation in Inclusive Athletic Activities [P-12(D) 3]** – Your Committee discussed proposed amendments to Sections 135.1 and 135.4 of the Commissioner’s Regulations relating to Extended Eligibility for Participation in Inclusive Athletic Activities. Commissioner’s Regulation §135.4(c)(7)(ii) establishes the parameters for participation in interscholastic athletic competition for students in grades 7 through 12. The underlying spirit of Commissioner’s Regulations governing interscholastic athletics is to provide for the safety and equal opportunity for participation for public school students. These principles guide athletic eligibility determinations for all student athletes who wish to participate in interscholastic athletic competition.

**P-12 Education Committee 2019-2020 Priorities** - Your Committee continued the discussion from the July 2019 meeting regarding establishing P-12 Committee priorities for 2019-2020. The discussion included a general overview of the opportunities and clarity that the established priorities will provide in guiding work; assessing achievement and forward movement; and forecasting for the field the work that is expected to come before the committee over the next year.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on September 10, 2019. All members were present. Chancellor Betty A. Rosa and Regent Kathleen M. Cashin were also present but did not vote on any case or action.

## **ACTION ITEMS**

### **Professional Discipline Cases**

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 4 cases and be clarified in 1 case and be modified in 2 other cases as hereafter set forth. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 44 consent order applications and 26 surrender applications be granted.

In the case of Eugene Paul Milford, Dentist, Calendar No. 28611, we recommend that the penalty recommended by the Regents Review Committee be clarified, and that, upon the specification of the charge of which respondent is found guilty, respondent's license to practice as a dentist in the State of New York be suspended for a period of two (2) years, execution of the last twenty-three (23) months of said suspension be stayed, and that, upon completion of the one-month period of respondent's actual suspension, respondent then be placed on probation for a period of two (2) years under the terms of probation prescribed by the Regents Review Committee.

In the case of Verna M. Davis, Licensed Practical Nurse, Calendar No. 30390, we recommend that the recommendation of the Regents Review Committee be modified solely to the extent regarding the penalty to be imposed, that the penalty to be imposed rendered by the Regents Review Committee not be accepted under all the circumstances, including the "great deal" of "mitigating equities" referred to by the Court in accepting respondent's plea, the crime of Assault in the second degree arose from a "very difficult family dynamic" and did not occur in the practice of respondent's profession, and the conditional discharge issued by the Court as the sentence for respondent's crime, and that, upon the specification of the charge of which respondent is found guilty, respondent's license to practice as a licensed practical nurse in the State of New York be suspended indefinitely and for not less than twelve (12) months and until such time as respondent (1) submits, at respondent's expense, to a mental health evaluation and, if necessary, treatment by a psychiatrist, psychologist, licensed clinical social worker, or nurse practitioner (with a specialty practice area in psychiatry), approved, in writing, by the Executive Director, Office of Professional Discipline, New York State Education Department, 1411 Broadway – Tenth Floor, New York, New York 10018-3496, for mental health issues, to establish that respondent is currently mentally fit to practice the profession of nursing, 2) said psychiatrist, psychologist, licensed clinical social worker, licensed master social worker, or nurse practitioner (with a specialty practice area in psychiatry) submits a written report to the New York State Education Department, addressed to the Executive Director, Office of Professional Discipline, as aforesaid, in which said psychiatrist, psychologist, licensed clinical social worker, licensed master social worker, or nurse practitioner (with a specialty practice area in psychiatry) certifies that respondent is mentally fit to practice as a licensed practical nurse in the State of New York, and 3) said Executive Director, Office of Professional Discipline, is thereafter satisfied that respondent is both mentally fit to practice as a licensed practical nurse in the State of New York and has served the suspension of her license to practice as a licensed practical nurse in the State of New York for at least twelve (12) months, at which time said Executive Director shall notify respondent, in writing, of the termination of the

suspension of respondent's license to practice as a licensed practical nurse in the State of New York and the effective date of said termination, and that the findings of fact and determination as to guilt rendered by the Regents Review Committee be accepted.

In the case of Debra Lynn Mattoon a/k/a Debra L. Mattoon a/k/a Debra Mattoon, Licensed Practical Nurse, Calendar No. 30020, we recommend that the findings of fact, determination as to guilt, and recommendation as to penalty recommended by the Regents Review Committee be accepted, except that (1) the discussion in the report of the Regents Review Committee regarding the description of the crime that respondent was convicted of committing and of the amount of the restitution that respondent was required to pay as part of her sentence for such crime each be modified and, in lieu thereof, respondent's conviction was based upon her knowingly entering or remaining unlawfully in the building where she was employed with the intent to commit a crime therein and respondent's sentence for such crime included a requirement that she pay restitution in the amount of \$3,457.08, including a \$256.08 surcharge; and (2) the discussion and reasoning in the report of the Regents Review Committee regarding the question of service upon respondent set forth in the penalty section of such report not be accepted, the resolution of the question of such service be clarified, corrected, and explained and the requirements for valid suitable age and discretion service be analyzed, the affidavit of service in this matter be addressed, the issue of whether a certified mailing was sent to respondent's "last known residence" be answered, respondent be found, based upon the record, to have been duly served in compliance with Education Law § 6510(1)(f)(2), no additional penalty be considered or imposed on respondent because she did not appear or respond in this matter, and the inaccurate references in the Regents Review Committee report to the certified mailing being "signed for by" respondent's "daughter", without regard to her inactive status, respondent not being registered, and the phrase "despite respondent's non-appearance in this matter" being used in describing the hearing record and evaluating the penalty each not be accepted, the full paragraph on page three of the Regents Review Committee report beginning with the word "Initially" and the part of the next successive paragraph starting on such page three with the words "Respondent was not registered" through and including the words beginning on the top of page four of the Regents Review Committee report "to address the issues with her license" are each deemed to be deleted, and the following substitute paragraphs be deemed added to page one of the Regents Review Committee report immediately following the paragraph that ends with the words "Discipline of the New York State Education Department":

Petitioner claims that service was made upon respondent in this matter by the suitable age and discretion method. The efforts at serving respondent by such method must comply with the requirements of Education Law § 6510(1)(f)(2). As relevant, this statute provides that the Statement of Charges and Notice of Hearing must be (1) delivered to a person of suitable age and discretion at the usual place of abode of the person to be served; and (2) sent by certified mail, return receipt requested, to the person to be served at either his or her last known residence or his

or her last address on file with the division of professional licensing services.

Here, the affidavit of service shows that the Statement of Charges and Notice of Hearing were delivered on March 8, 2018 to respondent's daughter, a person of suitable age and discretion, at respondent's usual place of abode in Oakfield, New York. Thus, the affidavit of service establishes that process was duly delivered in compliance with the first requirement in Education Law § 6510(1)(f)(2).

The question to be resolved in this matter relates to the separate second requirement concerning the address where the certified mailing must be sent. The affidavit of service states that the Statement of Charges and Notice of Hearing were sent by certified mail, return receipt requested, on March 10, 2018, to the same address for respondent in Oakfield, New York where they were delivered on March 8, 2018. The record herein shows that the process sent by certified mailing on March 10, 2018 was received and signed for by Michael Mattoon.

Two boxes are provided in the affidavit of service for describing where the certified mailing was sent. The process server checked the box in the affidavit of service indicating that the certified mailing was sent to respondent's last address on file with the State Education Department Division of Professional Licensing Services. The process server, therefore, did not check the box on the affidavit of service for reporting that the certified mailing was sent to respondent's "last known residence".

Petitioner asserts, in its Statement of Charges, that respondent, who is currently on "inactive" status with the New York State Education Department, was last registered with the Division of Professional Licensing Services from an address in Medina, New York. Moreover, at the hearing, petitioner did not claim that the Oakfield, New York, address was respondent's last registered address with the Division of Professional Licensing Services. Whether or not the Oakfield address was nevertheless, in some unexplained manner, respondent's last registered address with the Division of Professional Licensing Services, such address constitutes respondent's last known residence at the time when service was effectuated in this matter. Because respondent's Oakfield, New York, address was respondent's "usual place of abode" at the time of service, it qualifies as respondent's last known residence at such time. Accordingly, under all the circumstances, petitioner has met the relevant statutory requirement that the certified mailing be sent to respondent's "last known residence". This conclusion that service in this matter was duly made in compliance with Education Law § 6510(1)(f)(2)(i) relies upon the portion of the affidavit of service that shows the Oakfield, New York, address represents respondent's usual place of abode at the time of service and

disregards the boxes that the process server did and did not check in the affidavit of service regarding his belief as to the nature of the Oakfield, New York address.

These recommendations are made following the review of 77 cases involving twenty-one licensed practical nurses, ten registered professional nurses, seven licensed practical nurses who are also registered professional nurses, three dentists, three professional engineers, two licensed clinical social workers, two licensed master social workers who are also licensed clinical social workers, two massage therapists, two pharmacists, one acupuncture professional corporation, one acupuncturist, one architect, one architecture professional corporation, one certified public accountant, one licensed practical nurse who is also a registered professional nurse who is also a nurse practitioner (Adult Health), one licensed practical nurse who is also a registered professional nurse who is also a nurse practitioner (Family Health), one massage therapy professional corporation, one occupational therapist, one optometrist, and one registered professional nurse who is also a nurse practitioner (Adult Health).

## **Restorations**

Your Committee recommends the following:

That the application of Kevin Brennan for the restoration of his license to practice as a Registered Professional Nurse and his certificate to practice as a Nurse Practitioner in New York State be denied at this time. [PPC EXS (A) 4]

## **MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on September 10, 2019, copies of which have been distributed to each Regent.

## **MATTERS NOT REQUIRING BOARD ACTION**

Your Committee discussed several topics of interest, including:

Deputy Commissioner's Report/Update

- Full Board Consent Agenda Items
  - Board (re)appointments
  - Licensing Petitions / Conferral of Degrees
  - Mercy College - Master Plan Amendment to offer a Master of Science (M.S.) Program in Nursing Education
  - Proposed Amendment to Section 63.6 of the Regulations of the Commissioner of Education Relating to the Certification of Manufacturers and Wholesalers for Export Purposes (Permanent Adoption)

- Proposed Amendment to Section 64.7 of the Regulations of the Commissioner of Education Relating to the Execution by Registered Professional Nurses of Non-Patient Specific Orders to Administer Immunizations (Permanent Adoption)

**MOVED**, that the Committee Reports be approved.

**Motion by:** Regent Catherine Collins  
**Seconded by:** Regent Susan W. Mittler  
**Action:** Motion carried unanimously.

### **State Education Department August 2019 Fiscal Report BR (A) 3**

**MOVED**, that the Board accepts the August 2019 State Education Department Fiscal Report as presented.

**Motion by:** Regent Beverly L. Ouderkirk  
**Seconded by:** Regent Elizabeth S. Hakanson  
**Action:** Motion carried unanimously.

### **PRESENTATIONS**

#### **Announcement of the Marge A. Tierney Memorial Scholarship Award Winner**

The 2018 Marge A. Tierney Scholarship was awarded by Interim Commissioner Berlin to Robert E. Parsons of Manhattan, New York.

#### **Announcement of the 2020 Teacher of the Year (Attachment V)**

Chancellor Rosa and Interim Commissioner Berlin opened the Teacher of the Year Awards.

Chancellor Rosa introduced the 2019 Teacher of the Year, Alhassan Susso to speak as to his experience as Teacher of the Year.

Regent Josephine Victoria Finn introduced finalist Jeanne Lance, who began teaching in the Watervliet City School District in 1990 and currently teaches 4th graders at Watervliet Elementary School.

Regent Beverly L. Ouderkirk introduced finalist Laura Macey. Laura is a Culinary Arts teacher and Work-based Learning Coordinator at Steinmetz Career and Leadership Academy, the Career and Technology School for Schenectady City School District.

Regent Roger Tilles introduced finalist John Braun. John has just begun his 18th year as a science teacher at East Northport Middle School in the Northport-East Northport School District.

Regent Catherine Collins introduced finalist Mary Howard. Mary is a 6th grade teacher at the Veronica E. Connor Middle School in the Grand Island Central School District.

Regent Susan W. Mittler presented the Teacher of the Year for 2020 Rachel Murat, of Maine-Endwell High School in the Maine-Endwell Central School District. Ms. Murat also received the Commissioner Thomas Sobol Award and the David Johnson Award.

Chancellor Rosa introduced Jolene DiBrango, Executive Vice President, New York State United Teachers (NYSUT). Ms. DiBrango addressed the Board and the 2019 Teacher of the Year and finalists.

Chancellor Rosa invited Ms. Murat to provide remarks to the Board.

Chancellor Rosa adjourned the meeting.

**Appendix I**  
**NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS**

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
DLLM	CE	Tompkins (Ithaca)	Grant provisional charter for five years.
Harlem Historical Society	CE	New York (New York)	Extend provisional charter for five years.
The Hinckley Foundation	CE	Tompkins (Ithaca)	Dissolve charter and approval to distribute remaining assets to Lifelong, Inc, The History Center, and Historic Ithaca, Inc. subject to judicial approval pursuant to section 220 of the Education Law.
Hinsdale Historical Society	CE	Cattaraugus (Hinsdale)	Grant an absolute charter.
Hudson River Maritime Museum	CE	Ulster (Kingston)	Grant an absolute charter.
Interference Archive	CE	Kings (Brooklyn)	Amend Regents certificate of incorporation to change the corporate address.
The International L. Frank Baum and All Things Oz Historical Foundation	CE	Madison (Chittenango)	Grant an absolute charter.
Newtown Historical Society	CE	Queens (Ridgewood)	Extend provisional charter for five years.
The Richburg-Wirt Historical Society	CE	Allegany (Richburg)	Grant an absolute charter.
Springfield Historical Society	CE	Otsego (Springfield Center)	Extend provisional charter for five years.
Thousand Island Park Historical Association	CE	Jefferson (Thousand Island Park)	Grant provisional charter for five years.
Washington Street Historical Society	CE	Queens (Belle Harbor)	Extend provisional charter for five years.
The Geneva School of Manhattan	P12	New York (New York)	Amend charter to change the corporate address and extend the provisional charter for three years.
Jennie's School for Little Children	P12	Westchester (Mount Kisco)	Amend charter to specify the corporation will operate nursery school for children between the ages of two and five.

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
St. Joseph High School	P12	Kings (Brooklyn)	Grant provisional charter for three years.
Usdan Center for the Creative and Performing Arts	P12	Suffolk (Wyandach)	Consent to filing of certificate of assumed name "Usdan Summer Camp for the Arts".
St. John Fisher College	HE	Monroe (Pittsford)	Amend charter to add authority to confer the Master of Public Health (M.P.H.) degree.
The Trustees of Hamilton College	HE	Oneida (Kirkland)	Amend charter to specify the trustee range to be not more than 42 and not less than 18.

## Appendix II

### REGENTS ACTIONS IN 76 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

September 10, 2019

The Board of Regents announced disciplinary actions resulting in the revocation of 4 licenses, surrender of 25 licenses and 1 certificate, and 46 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 1 restoration petition.

#### I. REVOCATIONS AND SURRENDERS

##### Dentistry

Michael Marcus; Dentist; Calabasas, CA 91302; Lic. No. 034546; Cal. No. 31456; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Sexual Battery and Child Molestation, misdemeanors in the State of California, in 2010 for touching and/or rubbing patients' breasts in 2004.

##### Engineering, Land Surveying and Geology

Keng Lee So; Professional Engineer; Brooklyn, NY 11204-3736; Lic. No. 087737; Cal. No. 31359; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Offering a False Instrument for Filing in the 1st Degree, a class E felony.

##### Massage Therapy

Pierre Andre Henry; Massage Therapist; New York, NY 10029; Lic. No. 008718; Cal. No. 31499; Application to surrender license granted. Summary: Licensee did not contest the charge of exhibiting immoral conduct by massaging the genital areas and breasts of a client who was also not properly draped.

##### Nursing

Karlie S. Hveem; Licensed Practical Nurse; Glens Falls, NY 12801; Lic. No. 312137; Cal. No. 29322; Found guilty of professional misconduct; Penalty: Revocation.

Debra Lynn Mattoon a/k/a Debra L. Mattoon a/k/a Debra Mattoon; Licensed Practical Nurse; Oakfield, NY 14125; Lic. No. 300437; Cal. No. 30020; Found guilty of professional misconduct; Penalty: Revocation.

Helen Marie Finnila; Licensed Practical Nurse, Registered Professional Nurse; North Chesterfield, VA 23235-4239; Lic. Nos. 144654, 335297; Cal. Nos. 30810, 30799; Application to surrender licenses granted. Summary: Licensee admitted to the charge of administering drugs incorrectly in the State of Virginia.

Ana A. Lamson Pangilinan a/k/a Ana Amalia Lamson Pangilinan; Licensed Practical Nurse, Registered Professional Nurse; La Mirada, CA 90638; Lic. Nos. 182581, 421006; Cal. Nos. 30951, 30952; Application to surrender licenses granted. Summary: Licensee did not contest the charge of, in the State of California, failing to properly assess a patient's pain and not determining its etiology, delaying discovery of the full extent of said patient's injuries; failing to rule out a neck and spinal injury prior to moving said patient; failing to classify said patient's head injury on the Glasgow Coma Scale; failing to activate Emergency Medical Services in a timely manner despite classifying said patient's condition as "emergent"; and pre-writing a physician telephone order for continued one-to-one supervision of said patient and not documenting who gave the order.

Brandon Michael Coburn; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Adult Health); Lewisburg, PA 17837; Lic. Nos. 280991, 571255; Cert. No. 305118; Cal. Nos. 31047, 31048, 31049; Application to surrender licenses and to surrender certificate granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Possess with Intent to Distribute a Controlled Substance.

Kimberly Jean Villie; Registered Professional Nurse; Elmira, NY 14904; Lic. No. 633498; Cal. No. 31203; Application to surrender license granted. Summary: Licensee did not contest the charge of medication administration errors.

Sheila Marie Stokes; Registered Professional Nurse; Richmond, VA 23225; Lic. No. 487159; Cal. No. 31324; Application to surrender license granted. Summary: Licensee did not contest the charge of having a history of alcohol abuse including failing to report to work with or without notice because of drinking in Virginia.

Linda Jean Bialecki; Licensed Practical Nurse; Phoenix, AZ 85044; Lic. No. 119764; Cal. No. 31334; Application to surrender license granted. Summary: Licensee did not contest the charge of submitting a registration renewal application which falsely stated that no other licensing authority had previously refused to issue a professional license to her when in fact she had been denied practical nursing licensure by the State of Arizona.

Lorri J. Couse a/k/a Lorri Love; Registered Professional Nurse; Watervliet, NY 12189; Lic. No. 435639; Cal. No. 31340; Application to surrender license granted. Summary: Licensee did not contest the charge of practice errors.

Jessica Lynne Charlebois a/k/a Jessica L. Carlson; Registered Professional Nurse; Middletown, CT 06457-5238; Lic. No. 566651; Cal. No. 31347; Application to surrender license granted. Summary: Licensee admitted to the charge of being dependent on, or a habitual user of narcotics or other drugs having similar effects, in Connecticut.

Kelly Galvin; Licensed Practical Nurse; Centereach, NY 11720; Lic. No. 260217; Cal. No. 31423; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Possession of a Controlled Substance in the 4th Degree, a class C felony; and Criminal Possession of a Controlled Substance in the 7th Degree, a class A misdemeanor.

Shanika Marie Miles; Licensed Practical Nurse; Waldorf, MD 20603-4406; Lic. No. 291366; Cal. No. 31435; Application to surrender license granted. Summary: Licensee did not contest the charge of finding of professional misconduct by the Florida State Board of Nursing for procuring a license with known misrepresentations on a Maryland nursing application.

Grace I. Oronce; Licensed Practical Nurse, Registered Professional Nurse; Lakewood, CA 90715; Lic. Nos. 192225, 404594; Cal. Nos. 31459, 31460; Application to surrender licenses granted. Summary: Licensee admitted to the charge of having been found guilty of professional misconduct in California, where the conduct if committed in New York would constitute practicing the profession with gross negligence on a particular occasion.

Jayne Barry; Registered Professional Nurse; Warrensburg, MO 64093-1462; Lic. No. 532005; Cal. No. 31469; Application to surrender license granted. Summary: Licensee admitted to the charge of having been found guilty of professional misconduct in Arizona where the conduct if committed in New York would constitute willful verbal and physical abuse of patients and failure to maintain accurate patient records.

Holly Lou Cary; Licensed Practical Nurse; Farmersville, TX 75442; Lic. No. 252635; Cal. No. 31477; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Petit Larceny, a class A misdemeanor.

Nimfa R. Realeza a/k/a Nimfa Realeza Punzalan a/k/a Nimfa Reyes Realeza Punzalan; Registered Professional Nurse; Vallejo, CA 94591; Lic. No. 366648; Cal. 31507; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to formulate a nursing diagnosis, evaluate or assess a patient's physical condition and act as an advocate for the patient, in the State of California.

Kathleen Baker; Licensed Practical Nurse, Registered Professional Nurse; Sleepy Hollow, NY 10591; Lic. Nos. 235997, 562500; Cal. Nos. 31508, 31509; Application to surrender licenses granted. Summary: Licensee admitted to charges of having been convicted of Grand Larceny in the 3rd Degree, a class D felony, and submitting a registration renewal application which falsely stated that she had not been convicted of any crime.

Gina Marie Dereme; Licensed Practical Nurse; Ronkonkoma, NY 11779; Lic. No. 320270; Cal. No. 31541; Application to surrender license granted. Summary: Licensee did not contest the charge of stealing hydrocodone pills, a controlled substance, from her place of employment.

## **Optometry**

Nwanneka C. Udentia; Optometrist; Montclair, NJ 07042; Lic. No. 007507; Cal. No. 31497; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to comply with the mandatory continuing education requirements of the Commonwealth of Massachusetts to be registered to practice as an optometrist.

## **Social Work**

Justin Roger Barkley; Licensed Master Social Worker, Licensed Clinical Social Worker; Dannemora, NY 12929; Lic. Nos. 077681, 079316; Cal. Nos. 30551, 30552; Found guilty of professional misconduct; Penalty: Revocation.

## **II. OTHER REGENTS DISCIPLINARY ACTIONS**

### **Acupuncture**

Robert Seungmin Lee; Acupuncturist; Syosset, NY 11791; Lic. No. 004025; Cal. No. 30998; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$500 fine.

Dahna Acupuncture, P.C.; Acupuncture; Flushing, NY 11354; Cal. No. 30999; Application for consent order granted; Penalty agreed upon: 1 year probation, \$500 fine.

### **Architecture**

Robert Alfred Lenahan; Architect; New City, NY 10956; Lic. No. 026031; Cal. No. 31197; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Robert A. Lenahan Architect, P.C.; Architecture; New City, NY 10956; Cal. No. 31198; Application for consent order granted; Penalty agreed upon: \$2,500 fine.

### **Dentistry**

Eugene Paul Milford; Dentist; Brooklyn, NY 11233; Lic. No. 037598; Cal. No. 28611; Found guilty of professional misconduct; Penalty: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Stanley Pinkus a/k/a Stanislav Pinkusovich; Dentist; Valley Stream, NY 11581; Lic. No. 047191; Cal. No. 31385; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$5,000 fine.

## **Engineering, Land Surveying and Geology**

James A. Clancy; Professional Engineer; National Park, NJ 08063-1229; Lic. No. 084288; Cal. No. 30800; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Anthony Christopher Dangelo; Professional Engineer; Stewartsville, NJ 08886; Lic. No. 080961; Cal. No. 30949; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice in the State of New York, 2 years probation, \$1,000 fine.

## **Massage Therapy**

Robert Seungmin Lee; Massage Therapist; Syosset, NY 11791; Lic. No. 023434; Cal. No. 31000; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$500 fine.

Robert S. Lee Therapeutic Massage, P.C.; Massage Therapy; Flushing, NY 11354; Cal. No. 31001; Application for consent order granted; Penalty agreed upon: 1 year probation, \$500 fine.

## **Nursing**

Danielle E. Barton; Licensed Practical Nurse; Buffalo, NY 14215; Lic. No. 295616; Cal. No. 29626; Found guilty of professional misconduct; Penalty: 2 years actual suspension. Upon return to practice, two years probation.

Verna M. Davis; Licensed Practical Nurse; Syracuse, NY 13204; Lic. No. 084152; Cal. No. 30390; Found guilty of professional misconduct; Penalty: Indefinite actual suspension of at least 1 year, with licensee to submit to a mental health evaluation and if necessary, to participate in a course of therapy and treatment, until fit to practice.

Sarah Marie Fackelman; Licensed Practical Nurse; Rochester, NY 14616; Lic. No. 292512; Cal. No. 30232; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Brittany A. Nuzzi a/k/a Brittany Nuzzi; Licensed Practical Nurse; Coram, NY 11727-1028; Lic. No. 307542; Cal. No. 30381; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Charlene Francis Wieczorek; Registered Professional Nurse; Depew, NY 14043; Lic. No. 531175; Cal. No. 30573; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension. Upon return to practice, 2 years probation, \$500 fine.

Michele Pat Scanlan; Registered Professional Nurse; Camillus, NY 13031; Lic. No. 578271; Cal. No. 30897; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 1 year and until fit to practice. Upon return to practice, 2 years probation, \$500 fine.

Crystal L. Conley; Licensed Practical Nurse; Putnam Valley, NY 10579-1416; Lic. No. 303765; Cal. No. 30914; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 6 months and until successfully participate in course of therapy and treatment and until fit to practice. Upon return to practice, 2 years probation.

Susan Gaye Riner; Registered Professional Nurse, Nurse Practitioner (Adult Health); Elba, NY 14058; Lic. No. 283425, Cert. No. 302526; Cal. Nos. 30935, 30936; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension. Upon return to practice, 2 years probation, \$500 fine.

Kayla L. Drake; Licensed Practical Nurse; Kingston, NY 12401; Lic. No. 307305; Cal. No. 30958; Application for consent order granted; Penalty agreed upon: 4 months actual suspension, 20 months stayed suspension. Upon return to practice 2 years probation.

Melissa E. Kotary; Licensed Practical Nurse; Oneida, NY 13421; Lic. No. 299337; Cal. No. 30995; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice. Upon return to practice, 2 years probation, \$500 fine.

Pamela Weinstock; Registered Professional Nurse; Centereach, NY 11720; Lic. No. 632825; Cal. No. 31018; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Lori Marie Riley; Licensed Practical Nurse; Sharon, CT 06069-2208; Lic. No. 212254; Cal. No. 31051; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 6 months and until successfully participate in course of therapy and treatment and until fit to practice. Upon return to practice in the State of New York, 2 years probation, \$250 fine.

Lillian R. Johnson a/k/a Lillian Rebecca Johnson; Licensed Practical Nurse, Registered Professional Nurse; Grand Prairie, TX 75051-4475; Lic. Nos. 256531, 524594; Cal. Nos. 31060, 31061; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension. Upon return to practice in the State of New York, 2 years probation, \$500 fine.

Kimberly Ann Snipe; Licensed Practical Nurse; White Plains, NY 10607-2123; Lic. No. 277654; Cal. No. 31074; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension. Upon return to practice in the State of New York, 1 year probation, \$250 fine.

Michelle Lynn Bitterman a/k/a Michelle Lynn Hazard; Licensed Practical Nurse, Registered Professional Nurse; East Amherst, NY 14051; Lic. Nos. 256286, 510422; Cal. Nos. 31080, 31081; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Stacey A. Grimes; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Family Health); Bemus Point, NY 14712; Lic. Nos. 224768, 538142, Cert. No. 337336; Cal. Nos. 31128, 31129, 31130; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation. Upon return to practice in the State of New York, \$500 fine.

Walter A. Houston; Licensed Practical Nurse; Columbia, SC 29223; Lic. No. 270425; Cal. No. 31141; Application for consent order granted; Penalty agreed upon: Censure and reprimand. Upon return to practice in the State of New York, 1 year probation, \$500 fine.

Katelynn Marie Higgins; Licensed Practical Nurse; Caledonia, NY 14423; Lic. No. 300750; Cal. No. 31153; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice. Upon return to practice, 2 years probation, \$500 fine.

Mary Ann Peck; Licensed Practical Nurse, Registered Professional Nurse; Phelps, NY 14532; Lic. Nos. 152424, 430666; Cal. Nos. 31159, 31160; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Leslie A. Shinkman; Licensed Practical Nurse; Burnt Hills, NY 12027; Lic. No. 277420; Cal. No. 31167; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 6 months and until mentally fit to practice. Upon return to practice, 2 years probation.

Betsy Babukutty; Registered Professional Nurse; Bayside Hills, NY 11364-1840; Lic. No. 576475; Cal. No. 31186; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Patricia Ann Makitra; Licensed Practical Nurse; Bath, NY 14810; Lic. No. 310776; Cal. No. 31188; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension. Upon return to practice, 2 years probation, \$250 fine.

Ann E. Starkweather; Licensed Practical Nurse; Odessa, NY 14869-9717; Lic. No. 212739; Cal. No. 31190; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

## **Occupational Therapy**

Konstantin Pigulsky; Occupational Therapist; Brooklyn, NY 11230-5890; Lic. No. 014534; Cal. No. 30778; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, 2 years probation, \$3,000 fine.

## **Pharmacy**

Taehyun Kim; Pharmacist; Hollis, NY 11423; Lic. No. 061609; Cal. No. 30657; Application for consent order granted; Penalty agreed upon: \$2,500 fine.

Craig Joseph Balkon; Pharmacist; Dix Hills, NY 11746; Lic. No. 053325; Cal. No. 31135; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation.

## **Public Accountancy**

Denise C. Wackowski; Certified Public Accountant; East Amherst, NY 14051-1265; Lic. No. 089171; Cal. No. 31007; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

## **Social Work**

Melanie C. Miller; Licensed Clinical Social Worker; Hudson, NY 12534; Lic. No. 078354; Cal. No. 30016; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Sherman Sean Stovall, Jr.; Licensed Master Social Worker, Licensed Clinical Social Worker; Albany, NY 12203; Lic. Nos. 078173, 078968; Cal. Nos. 30724, 30723; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 1 month and until mentally and physically fit to practice. Upon return to practice, 2 years probation, \$500 fine.

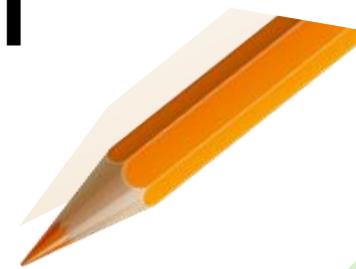
Eileen Ann Spong; Licensed Clinical Social Worker; Rochester, NY 14618; Lic. No. 015950; Cal. No. 30792; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 4 months and until mentally fit to practice. Upon return to practice, 2 years probation, \$500 fine.

## **III. RESTORATION**

The Board of Regents voted on September 10, 2019 to deny the application for restoration of the registered professional nurse license and to deny the application for restoration of the nurse practitioner (Community Health) certificate of Kevin Francis Brennan,

Watertown, NY. Mr. Brennan's license and certificate were surrendered December 11, 2012.

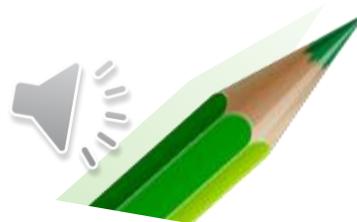
# ATTACHMENT I



September  
2019

Back to School  
Visits

NYS Board of Regents



Regent Cashin and  
Assemblyman Peter  
Abbate visit  
PS176 Brooklyn



# First Day of School!

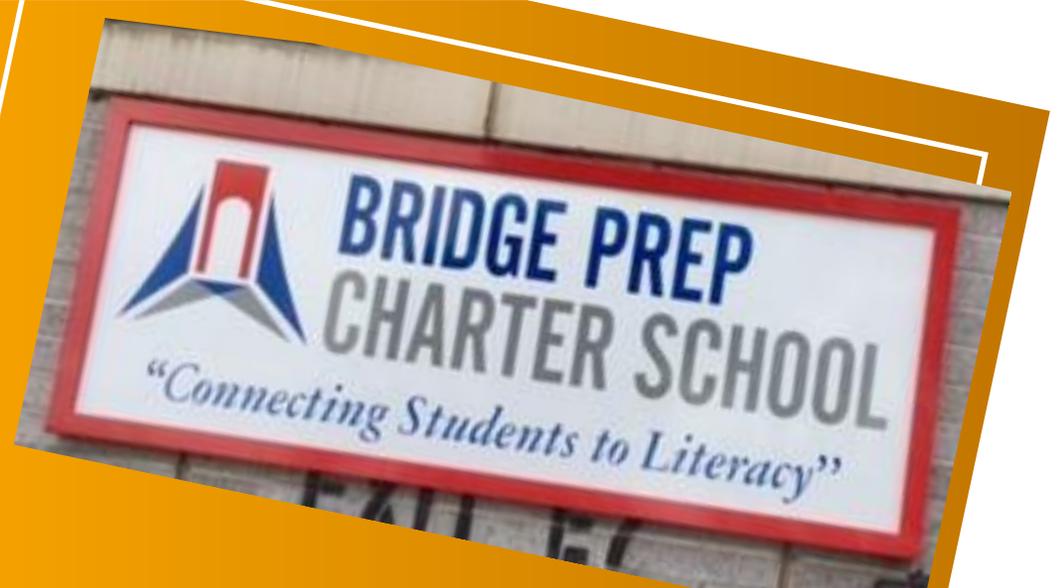


Regent Cashin and Assemblyman Peter Abbate with PS 176 Students, Family and Staff

# PS 176 Brooklyn



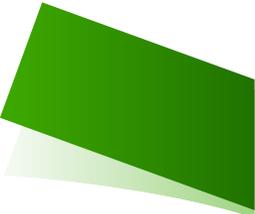
# Regent Cea visits Bridge Prep Charter School



# First Day of School!



Regent Cea and Tim Castanza,  
Executive Director



# Bridge Prep Charter School



Tim Castanza, Executive Director,  
Rose Kerr, Director of Education, Office of the Borough President  
Laura Timony, Member, Board of Trustees

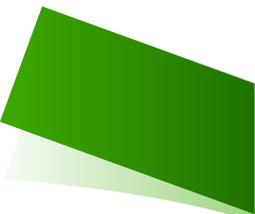
# Regent Cea visits Hellenic Classical Charter School



# First Day of School!



# Hellenic Classical Charter School



Regent Cea visits  
the College of  
Staten Island/CUNY

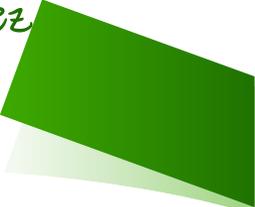




College of Staten Island/CUNY  
welcomes Freshman on Move In  
Day with a Waffle Breakfast



CUNY Chancellor Felix V. Matos Rodriguez  
Poses with Students



# College of Staten Island/CUNY



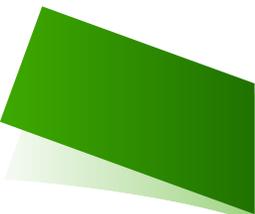
President William J. Fritz and  
Chancellor Matos Rodriguez



Waffle Makers



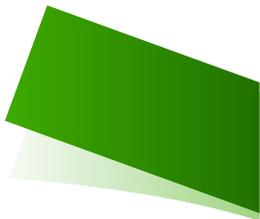
President Fritz and Incoming Students



College of Staten  
Island/CUNY



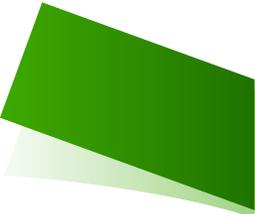
Regent Cea with International  
Students from Japan and Spain Here to  
Attend Business School



Regent Tilles -  
Keynote Speaker for  
Center Moriches  
UFSD Opening Day  
Conference

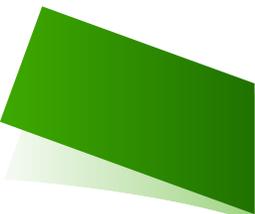


Center Moriches UFSD Opening Day Conference



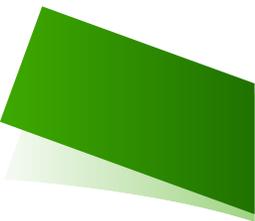
Interim  
Commissioner Beth  
Berlin visits the  
Heatly School



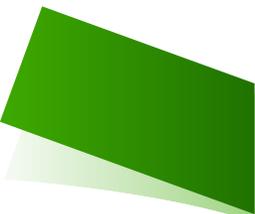




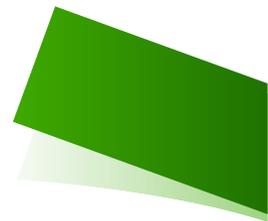
# Chancellor Rosa Visits PS 69 Journey Prep School



# PS 69 Journey Prep School



# PS 69 Journey Prep School





Thank You!

# ATTACHMENT II

## What Success Looks Like:

### Key Practices of Unscreened High Schools That Have Dramatically Improved and/or Consistently Surpass the New York State Graduation Rate for Young Men of Color (YMOC)



Penny L. Ciaburri, CEO  
Project Lead  
PLC Associates, Inc.



New York State  
**EDUCATION DEPARTMENT**  
Knowledge > Skill > Opportunity

Dr. Anael Alston, SED Project Liaison  
Assistant Commissioner, Office of Access, Equity  
and Community Engagement Services

### *Building People and Organizations*

Presenting:  
Ms. Penny Ciaburri, CEO - PLC Associates  
Dr. Larry Aronstein, Superintendent (retired)

# Graduation/Trends for YMOC\* (2015/2016-2017/18 data)



**Brooklyn Institute for Liberal Arts 95%**

**Last three years: 93/85/95% High Needs**

**Westbury High School 80%**

**Last three years: 75/81/80% High Needs**

**Malverne Senior High School 96%**

**Last three years: 93/95/96% Average Needs**



**McKinley Vocational High School 77%**

**Last three years: 77/84/77% High Needs**



**Sleepy Hollow High School 76%**

**Last three years: 76/81/76% Average Needs**

# Graduation/Trends for YMOC\* (2017-18 data)



**Institute of Technology 76%**  
Last three years: 87/81/76% High Needs



**Valley Stream Central High School 93%**  
Last three years: 94/96/93% Low Needs

**Elmont Memorial High School 95%**  
Last three years: 90/96/95% Low Needs



**Metropolitan**

**Metropolitan Expeditionary Learning 94%**  
Last 3 years: 100/100/94% High Needs



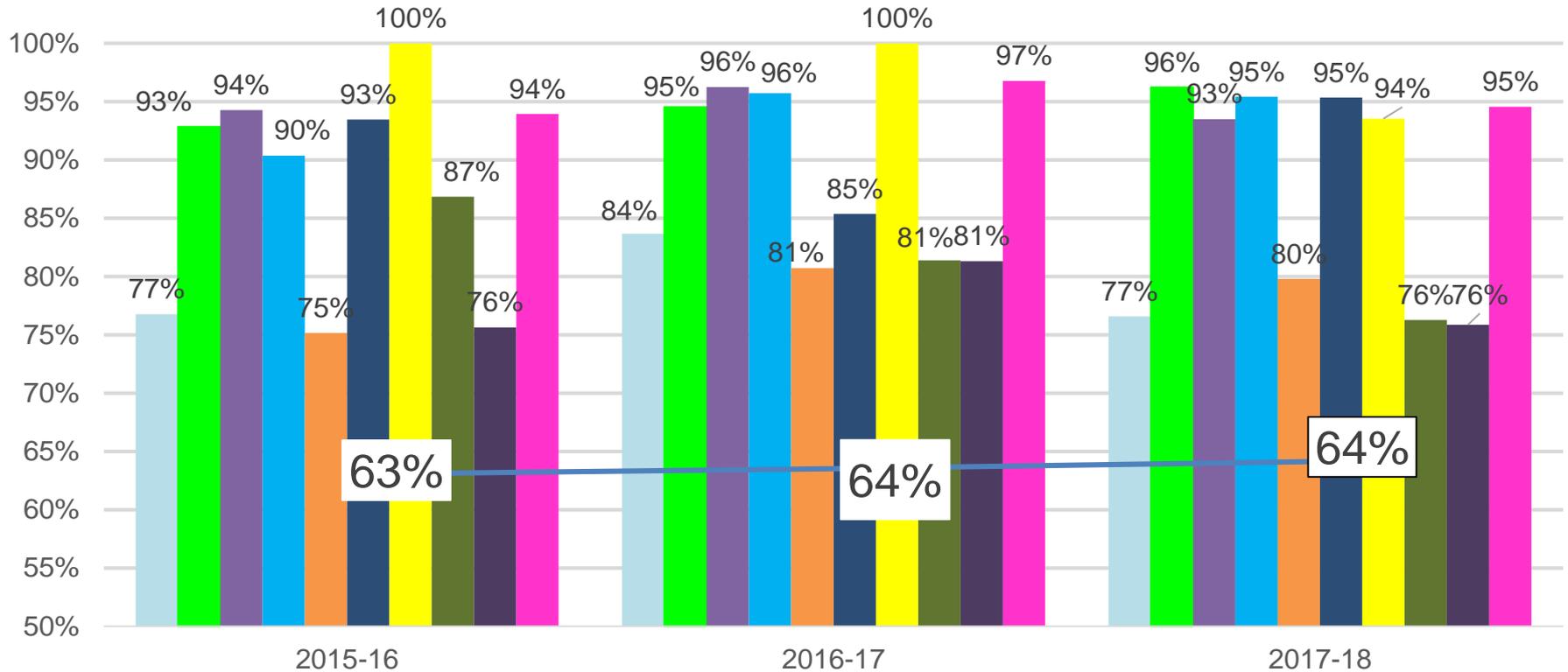
**Saunders Trades and Technical Senior High School 95%**  
Last three years: 94/97/95% High Needs

# Our Methodology...Multiple Metrics

- PLC Team: Six well qualified, experienced educators from across New York State conferred over five months
- Spent over 20 days in 10 schools and two districts (school enrollments 375-1,675; YMOC 61% to 97%)
- Visited over 100 classrooms
- Facilitated over 35 focus groups across all school and community stakeholders
- Collected research-based metrics with over 5,000 students and 600 staff (samples below)

Composite Data: Factors Most Important for My Success/Coming to School (Excerpt from PLC Associates, Inc. Data Base)	All N=5182	YMOC N=1823	Staff N=617
1. The <b>way teachers teach</b> and are available when I need help.	87.3%	85.4%	96.8%
2. <b>Opportunities for Advanced Placement</b> for example, AP/College Credit Courses, IB.	82.1%	78.9%	83.1%
3. Having <b>mentors and "people to go to"</b> when I have problems to work through.	80.4%	77.8%	95.8%

# Comparative Graduation Rates



MCKINLEY VOC HIGH SCHOOL	MALVERNE SENIOR HIGH SCHOOL
VALLEY STREAM CENTRAL HIGH SCHOOL	ELMONT MEMORIAL HIGH SCHOOL
WESTBURY HIGH SCHOOL	BROOKLYN INSTITUTE FOR LIBERAL ARTS
METROPOLITAN EXPEDITIONARY LEARNING	INSTITUTE OF TECH AT SYRACUSE CENTRAL
SLEEPY HOLLOW HIGH SCHOOL	SAUNDERS TRADES & TECH SR HIGH SCH

\* Data provided by the New York State Education Department

# Composite Findings: Highlights

## 1. Systems Approach to Operation of the School

### Organization:

- **Clear, intentional design of school day - intact, aligned infrastructure (instructional time, activities, before/after school events, supports)**
- **Strong school leadership with clearly and consistently communicated, exceptional expectations**
- Bell to bell instruction, intensity, “on-target” support
- Variety of classes that are “of interest” to students
- All staff (instructional and non-instructional) have a clear understanding of their roles, responsibilities, and relationships within the school community
- Organized teams lead/contribute to meaningful decision-making (school leadership team, support services, professional learning communities...)
- No gaps - all structures and practices form an integrated, dynamic system

### Monitoring:

- **Comprehensive Monitoring/Data Cycles – “We know where each student is, what he/she needs, and execute an appropriate plan of action.”**
  - a) Academic, social/emotional (spreadsheets track student credits, courses needed, Regents results, attendance, grades, behavior...)
  - b) Early warning identification and intervention (detects and intervenes on issues before they become more serious)
  - c) Monitoring at individual, content area, and intermediate assessments and interventions

# Composite Findings: Highlights

## 2. Rigorous, Relevant Curricula/High Impact Instruction

### Curriculum:

- **Connections to the “real world” and what students experience**
- **Extensive opportunities/early access - AP courses, college credit, Career Pathways: engineering, bio-med, business and communications, the arts...**
- **Pride in “our history/heritage” - for YMOC, this provides grounding and contributes to enhanced self-esteem**
- Intentionally designed curricula with high levels of challenge and rigor; activities and resources are selected/designed for student interest
- **Students report, “classes are hard,” and “teachers are tough” within a context of a “high care” environment. Teachers go above and beyond what is required and make personal investments in students.**
- Common assessments, utilized formatively

### Targeted, High Impact Instruction:

- **High levels of student engagement, students work in groups and with partners**
- **Instruction features attention to literacy** and includes:
  - Clear learning targets connected to standards
  - Student engagement strategies
  - **Inquiry-based instruction (where appropriate)**
  - **Checking understanding with explicit feedback**
  - Differentiated instruction and practice
- Students welcome both positive and negative feedback as relationships set the tone to welcome feedback
- Effective infusion of technology – use as teaching/learning tool, often 1:1 supports

# Composite Findings: Highlights

## 3. Well-Defined Culture With Shared Accountability

### School Cultures Reflect:

- **A credo and echo it constantly – day starts with motivational message; positive greetings**
- Strong beliefs, values, mission, purpose, philosophy
- **Recognition of success/accomplishments: individually, as a school community, as a district, etc.**
- Positive environment, opportunity, effort and “daily wins” prevail
- **Serious approach to learning – Teaching and learning are a taken as a critical and crucial undertaking. “Lives are at stake.”**
- Continual focus on being and becoming (future plans) successful
- **High standards and supports promote increased numbers of students enrolling in advanced coursework**

### Shared Accountability:

- **Clear expectations for student and staff performance**
- Obvious belief - “This is our school and we take care of it.”
- **Distributive leadership - everyone has a role contributing to school and student success and the decision making process**
- **Extraordinary “Above and Beyond Commitment”**
  - Exceptional commitment beyond school day - staff attending events, activities, sporting events, concerts, weekends (not necessarily with pay)
  - “Everybody in - all hands on deck” in action - staff rallies

# What Success Looks Like:

## A Look at Schools with the Will and Skill to Beat the Odds

Erie 1 BOCES 10/15, OCM BOCES 10/16, Cap Region BOCES 10/24  
Southern Westchester BOCES 10/25, Nassau BOCES 10/28 , New York City 10/29

### **Opening Session: Welcome and Introductions**

Understanding the Why of This Undertaking  
Key Findings: The Drivers

### **Session 1: Self-reflection: Using A Systems Approach**

What questions should we be asking? Why is school design so important? What is coherence? How do we start a systems approach?

### **Session 2: The Why, How and Impact of Student Ownership of Learning**

How do we motivate students to own their learning? How do we use student learning targets and formative assessments to measure progress? How do we make instruction high impact for students? How is curricula made interesting, relevant, rigorous, so that it engages students?

### **Session 3: Improving Results Using Data Cycles: Models That Yield Results**

What models are we using to know exactly where students are, in academic and social/emotional areas? How often are we looking at data and making instructional/support system modifications? What data is viewed in data cycles? What are the expectations – individually, by team, as a school?

### **Session 4: The Together Everyone Achieves More (TEAM) Approach to Building a High Performance Culture**

How, as school and district leaders, do we send clear messages and establish collaborative models? What teams are in place and what are their roles? How do we address barriers to change? How do we establish high accountability with distributive leadership?

### **Closing Session: Remarks**

Next Steps – Challenge to the Field: Target 2024- 90% Graduation Rate for YMOC in 5 years!

*Dr. Anael Alston, the SED liaison for this project, sums this work with a quote from his recently published blog on [newyorkschooltalk.org](https://www.newyorkschooltalk.org).*

*We left the 2019 My Brother's Keeper (MBK) Symposium with an established target of **90% of Young Men of Color graduating high school in five years (2024)**. This goal is specific, measurable, time-sensitive, and **achievable**.*

*The question is, **“Can we muster the courage, political appetite, will and skill across New York State to fill the MBK prescription and meet the audacious goal of realizing success of all of our youth?”***

**We believe we can.**

# Thank You



New York State  
EDUCATION DEPARTMENT  
Knowledge > Skill > Opportunity

# ATTACHMENT III

## Graduation Measures in New York State

Board of Regents  
September 9, 2019



# Introduction and Background

## Excerpts from Chancellor Rosa's column:

*“The rigid system is not working for everyone, and too many students - particularly our most vulnerable students - are leaving high school without a diploma. New York and other states are grappling with graduation rates that are improving too slowly, if at all, as well as achievement gaps that reflect pernicious and pervasive opportunity gaps.”*

## The Blue- Ribbon Commission:

Will consider whether State exit exams, as a sole measure, improve student achievement, graduation rates, and college readiness; and whether adding other measures of achievement could better serve New York's diverse student population as indicators of what they know and if they are career and college ready. Could those additional measures of achievement include things like capstone projects, alternative assessments, or engagement in civic and community activities?

- **Goal: Reaffirm what a New York State high school diploma means and what it ought to signify**

# Revisiting the Issues

- Access to multiple graduation measures for all students
- Real-world skills necessary for post-secondary success
- New York State exit exam criteria
- De-facto tracking
- Consistency of rigor for student learning
- Preparing all students to successfully pursue college, careers, and opportunities for community engagement and citizenship
- Barriers to equity

# Proposed Blue Ribbon Commission's Work

## Blue Ribbon Commission:

The purpose of the Commission is to review research, practice and policy and to gather input from across the state, to help inform recommendations to:

- reconsider current diploma requirements;
- ensure all students have access to multiple graduation measures; and
- ensure a transition plan timeline allows time to prepare for and implement any changes.

The Commission will include representatives from the Big 5, NYSCOSS, NYSSBA, NYSUT, PTA, SAANYS, UFT, District Superintendents, and others.

# Proposed Blue Ribbon Commission's Work - continued

## Regents-BOCES District Superintendents-SED Regional Workgroups in Each Judicial District:

- The purpose of the Regional Workgroups is to gather and provide input into the Commission's review of research, practices and policies from constituents across the state to help inform the Commission's work to create recommendations.
- In each judicial district, a Regional Workgroup will be established to include the Regent, BOCES District Superintendents, the Big 5 City School Districts and a representative from SED to gather feedback from constituents and stakeholders, which can be inclusive of: student voices; advocacy groups; research agencies; workforce representatives; and others to be identified; in that region.

# Updated Draft Time Line

- **November 2019 – January 2020:** Regents and District Superintendents gather feedback from across the state, including meetings held in Regent Judicial Districts.
- **February 2020:** Establish the Blue Ribbon Commission (BRC) and draft meeting schedule.
- **March 2020:** Commission’s first meeting – the BRC convenes and defines the scope of its work.
- **April 2020:** Blue Ribbon Commission second meeting – The BRC identifies priority areas, “Big Questions” and a framework for moving forward. Draw from the BRC and Workgroups members to assign to sub-groups for priority areas.
- **May 2020 – September 2020:** Sub-groups meet.
- **October 2020 – November 2020:** Sub-groups develop proposed recommendations.
- **Winter 2021:** Sub-groups advance recommendations to the BRC.
- **Spring 2021 – Summer 2021:** The BRC finalizes recommendations and a report is prepared.
- **Fall 2021:** The Blue Ribbon Commission’s final report is presented to the Board of Regents for consideration.

# Immediate Next Steps

---

- Work with Regents and District Superintendents to establish regional workgroups and plan fall meetings.
- Define the mission of the Blue Ribbon Commission.
- Review research and practices.
  - Consider: What data do we need to collect, review, analyze, that will/can inform our decisions?



# Back to School Visits

*September 2019*

**ATTACHMENT IV**

# Menands School District

## *Menands*



**Interim Commissioner Beth Berlin Welcomes Students Back to School**





**Olmstead  
Middle/High  
School #156**  
*Buffalo*

**Regent Collins**







*Regent Chin Visits*

**Aviation High School**  
*Long Island City*

*and*

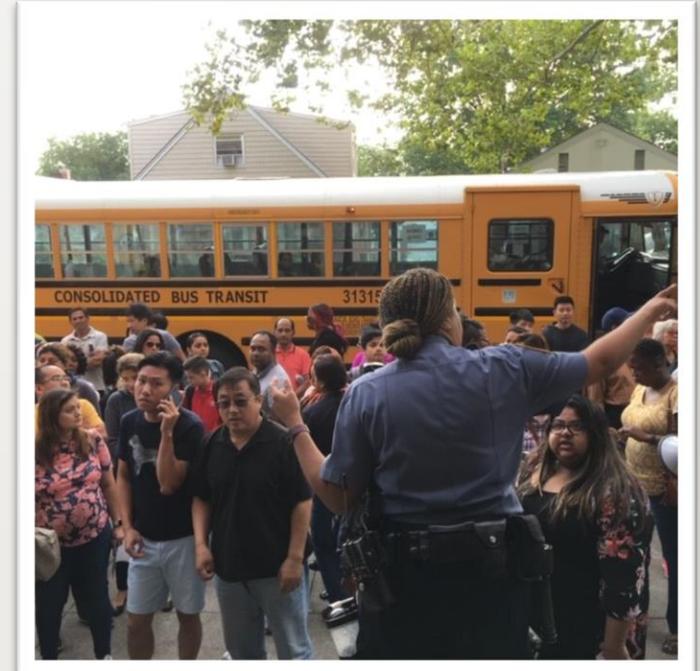
**Ryan Middle School**  
**216Q**

*Fresh Meadows*

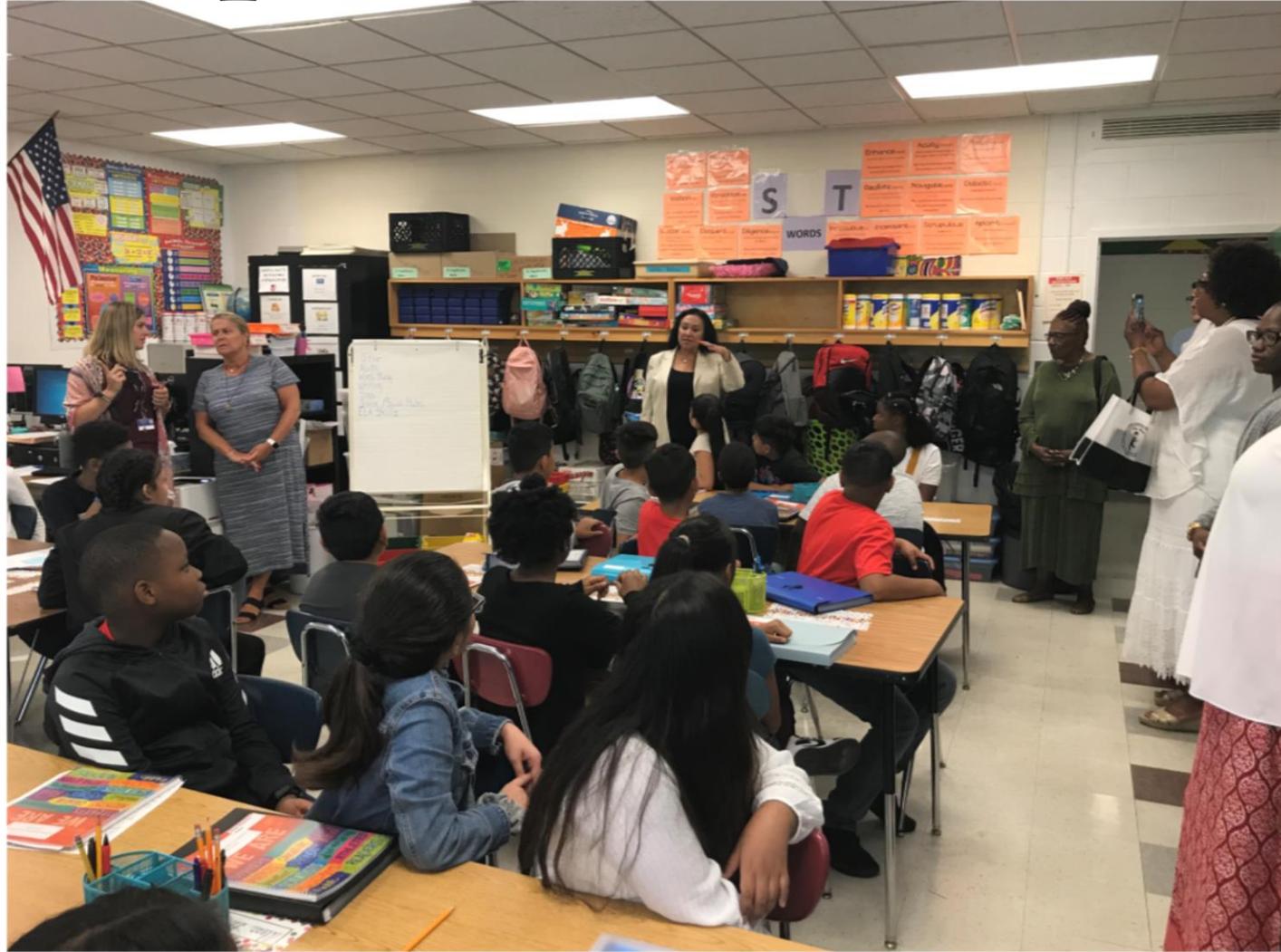


**Regent Chin and Deputy Speaker  
Catherine T. Nolan Welcome Students  
Back to School**





# East Ramapo Central School District



*Chancellor Rosa, Regent Johnson and Kim Wilkins Visit East Ramapo*



*Thank you!*



**The** **ATTACHMENT V**  
*University of the*  *State of New York*  
*Education* *Department*

In Recognition of

**Jeanne Lance**

As a Finalist for

**New York State Teacher of the Year**  
**for 2020**

**Betty A. Rosa**  
*Chancellor*  
*New York State Board of Regents*

**Josephine Victoria Finn**  
*Member*  
*New York State Board of Regents*

**Elizabeth R. Berlin**  
*Acting Commissioner of Education*



In Recognition of

**Laura Macey**

As a Finalist for

**New York State Teacher of the Year  
for 2020**

**Betty A. Rosa**

*Chancellor*

*New York State Board of Regents*

**Beverly L. Ouderkirk**

*Member*

*New York State Board of Regents*

**Elizabeth R. Berlin**

*Acting Commissioner of Education*

The  
University of the  
Education State of New York  
Department



In Recognition of

**John Braun**

As a Finalist for

**New York State Teacher of the Year  
for 2020**

**Betty A. Rosa**

*Chancellor*

*New York State Board of Regents*

**Roger Tilles**

*Member*

*New York State Board of Regents*

**Elizabeth R. Berlin**

*Acting Commissioner of Education*



In Recognition of

Mary Howard

As a Finalist for

New York State Teacher of the Year  
for 2020

**Betty A. Rosa**

*Chancellor*

*New York State Board of Regents*

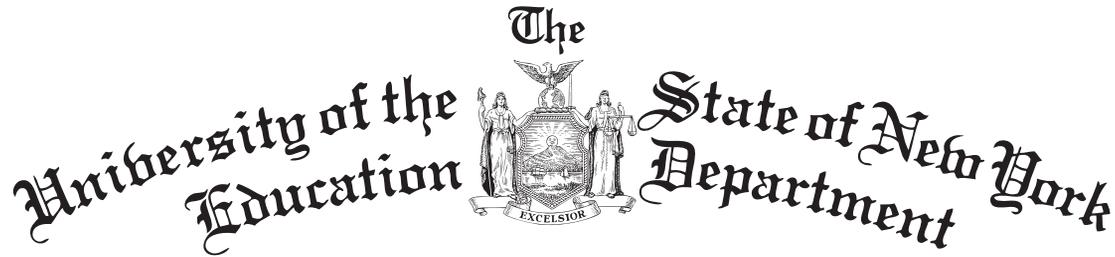
**Catherine Collins**

*Member*

*New York State Board of Regents*

**Elizabeth R. Berlin**

*Acting Commissioner of Education*



Be it Known that

Rachel Murat

is hereby proclaimed

New York State Teacher of the Year  
for 2020

**Betty A. Rosa**  
*Chancellor*

*New York State Board of Regents*

**T. Andrew Brown**  
*Vice Chancellor*

*New York State Board of Regents*

**Susan W. Mittler**  
*Member*

*New York State Board of Regents*

**Elizabeth R. Berlin**  
*Acting Commissioner of Education*