



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  
**SUBJECT:** Summary of the October 2015 Meeting  
**DATE:** November 9, 2015  
**AUTHORIZATION(S):**

### **Executive Summary**

#### **Issue for Decision**

Review of the Summary of the October 2015 Meeting of the Board of Regents.

#### **Proposed Handling**

Approval of the Summary of October 2015 meeting.

#### **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 October 2015 meeting.

#### **Timetable for Implementation**

Effective November 17, 2015.

**VOTED**, that the Summary of the October 2015 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE OCTOBER 2015 MEETING**

**OF THE BOARD OF REGENTS**

**OF**

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

***Held at the State Education Building***

***Albany, New York***

***October 26 and 27, 2015***

***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, October 26, 2015 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, October 26<sup>th</sup> at 9:00 a.m.**

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

Merryl H. Tisch, Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
Kathleen M. Cashin  
T. Andrew Brown  
Josephine Victoria Finn  
Judith Chin  
Beverly Ouder Kirk  
Catherine Collins  
Judith Johnson

Also present were Commissioner of Education, Mary Ellen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor Anthony S. Bottar and Regent James E. Cottrell were absent and excused.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Tuesday, October 27 at 12:10 p.m. to discuss personnel matters.

**MOVED**, that the Ethics Committee convene in executive session on Monday, October 26 at 6:30 p.m. to discuss personnel matters.

**Motion by:** Regent James R. Tallon Jr.  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion carried unanimously

## **CHANCELLOR ANNOUNCEMENT**

Chancellor Tisch announced her plan to serve out the remainder of her term as Regent and term as Chancellor, both expire April 1, 2016, and that she will not seek another term as Regent.

## **DISCUSSION**

### **Update on the Common Core Standards and APPR Review**

Commissioner provided the Board with updates on the Common Core Standards Review and APPR (Attachment I).

The Board agreed that it will convene its Standards Work Group and Common Core State Standards Work Group to develop proposals that will be shared with the legislature.

Chancellor Merryl H. Tisch adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, October 27 at 12:25 p.m.**

**Board Members in Attendance:**

Merryl H. Tisch, Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
Kathleen M. Cashin  
T. Andrew Brown  
Josephine Victoria Finn  
Judith Chin  
Beverly Ouder Kirk  
Catherine Collins  
Judith Johnson

Also present were Commissioner of Education, Mary Ellen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor Anthony S. Bottar and Regents Charles R. Bendit and James E. Cottrell were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 12:25 p.m.

**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 September 2015 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the September 2015 Meeting of the Board of Regents of The University of the State of New York be approved.

**Regents Monthly Meeting Dates, January - December 2016  
BR (A) 4**

**MOVED**, that the list of Regents meeting dates for the period January – December 2016 is approved.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Wade S. Norwood  
**Action:** Motion carried unanimously.

**PROGRAM AREA CONSENT ITEMS**

**Higher Education**

**Master Plan Amendment: Touro College: Establishment of Valhalla Branch  
Campus and Authority to Award the Master of Science (M.S.) Degree in Biology  
Education at that Branch Campus  
BR (CA) 1**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize Touro College to operate a branch campus in Valhalla, New York and authorizing the College to grant the Master of Science (M.S.) degree in Biology Education at that branch campus. The amendment will be effective until October 27, 2016, unless the branch campus and degree program are registered prior to that date, in which case the master plan amendment shall be without term.

**Permission to Operate: Hult International Business School  
BR (CA) 2**

**MOVED**, that the Board of Regents grant permission to Hult International Business School to continue to offer courses toward the partial fulfillment of the following five Master's degree programs: Business Administration (M.B.A.), Social Entrepreneurship (MS.E.), International Business (M.I.B.), Finance (M.Fin.), and International Marketing (M.I.M.). This approval will be effective for a five-year period beginning on October 27, 2015 and ending on October 26, 2020.

**Permission to Operate: Olivet University (California)  
BR (CA) 3**

**MOVED**, that the Board of Regents grant permission to Olivet University (California) to offer the proposed seven courses from its M.B.A program and the proposed seven courses from its M.Div. program at Six Barclay Street in New York City. In addition, the Board of Regents grant permission to Olivet University (California) to offer the proposed seven courses from its M.Div. program at its location in Dover, NY. This approval will be

effective for a five-year period beginning on October 27, 2015 and ending on October 26, 2020.

**Cornell University – Cornell NYC Tech: Master Plan Amendment to offer a Master of Laws (LL.M.) in Law, Technology and Entrepreneurship Program  
BR (CA) 4**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize Cornell University to offer a program in Law, Technology and Entrepreneurship leading to a Master of Laws (LL.M.) degree at the University's branch campus in New York City. The amendment will be effective until October 27, 2016, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**P-12 Education**

**Petition of the Rensselaer City School District for Consent to Exceed the Constitutional Debt Limit  
BR (CA) 5**

**MOVED**, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the Rensselaer City School District in an amount not to exceed \$68,000,000 for the acquisition of approximately 47 acres of land and the buildings and recreational and athletic facilities located thereon comprising the campus of the Van Rensselaer Elementary School and Rensselaer Junior/Senior High School and the furnishings, equipment, machinery or apparatus located thereon and therein and required for the purpose for which such buildings and facilities are to be used, from the RCSD Corporation pursuant to a lease purchase agreement dated as of August 16, 2006, and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

**Amendment of Section 100.18 of the Regulations of the Commissioner, Relating to School and District Accountability and New York State's Approved ESEA Flexibility Renewal Waiver  
BR (CA) 6**

**MOVED**, that paragraphs (14), (15) and (22) of subdivision (b) and subdivisions (f), (g), (h), (i), (j), (k) and (l) of section 100.18 of the Regulations of the Commissioner of Education be amended, and that paragraphs (24), (25), (26), (27), (28) and (29) of subdivision (b) of section 100.18 of the Regulations of the Commissioner of Education be added, as submitted, effective November 11, 2015.

## **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) 7**

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

### **Report of the Committee on the Professions Regarding Licensing Petitions BR (CA) 8**

**MOVED**, that the Regents approve the recommendations of the Committee on the Professions regarding licensing petitions.

## **Adult Career and Continuing Education Services (ACCES)**

### **Approval of Certain Ability- to-Benefit Tests for Purposes of Eligibility for State Financial Aid BR (CA) 9**

**MOVED**, that the Board of Regents approve, retroactively to September 1, 2007, the use of the federally approved ATB tests listed in Attachment A, as amended, which revises the list of ATB tests approved by the Board of Regents at its March 2015 meeting, for the timeframes identified therein by non-degree granting postsecondary schools for purposes of the TAP program.

**Motion by:** Regent Christine D. Cea  
**Seconded by:** Regent Judith Chin  
**Action:** Motion carried unanimously.

## **STANDING COMMITTEE REPORTS**

### **ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)**

Your ACCES Committee held its scheduled meeting on October 26, 2015. All members were present.

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

Workforce Innovation and Opportunity Act Combined State Plan – Your Committee was provided with information on the development of the Combined State Plan as required by the Workforce Innovation and Opportunity Act (WIOA). WIOA was signed into law in July, 2014, superseding the Workforce Investment Act of 1998 and amending the Adult



Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. The purpose of WIOA is to better align the workforce system with education and economic development in an effort to create a collective response to economic and labor market challenges on the national, state, and local levels. WIOA brings together core programs of Federal Investment in skill development and employment and training services. At the state level, these core programs are administered by the State Education Department, the Department of Labor, or the Commission for the Blind. WIOA is a shift from previous law in that instead of allowing, it now requires each state to submit a unified (submitting only the required core programs) or combined (adding additional programs) state strategic plan. New York State plans to submit a Combined Plan because it will include the Trade Adjustment Act, administered by DOL, as an additional permitted program. Staffs from the Department of Labor, the Commission for the Blind, and SED's Office of ACCES have been meeting regularly since January 2015 to draft a Combined State Plan. They plan to have a finalized draft of the Combined State Plan for review and approval at the December 2015 Board of Regents meeting. ACCES (D) 1

Regents 2016-2017 State Budget Priorities – We are requesting \$10 million in new state funding for the *Bridge to College and Careers Pilot Program*. Program applicants would be a partnership between an adult education program and college or training provider of demonstrated effectiveness. This program would provide career-related coursework, career pathways counseling, college readiness, and transition support services to out of school youth and adults. ACCES (D) 2

## **AUDITS/BUDGET AND FINANCE**

The Regents Committee on Audits/Budget and Finance met on Monday, October 26, 2015, as scheduled.

### **Items Discussed**

#### Race to the Top (RTTT) Presentation

With the recent close out of the Race to the Top (RTTT) grant, the Chief Financial Officer presented an overview of the budget breakdown, final expenditures and key activities performed under the grant. Of the \$696 M award, New York State spent 100% of the State's allocation and the LEAs underspent their 50% share by just \$70,186. Just over a thousand grants were awarded: (1) over 700 awarded from the LEA 50% share and (2) over 300 awarded from the state side projects.

#### Completed Audits

The Internal Audit Workgroup reviewed 24 audits that are being presented to the Committee this month. Two audits were issued by the Office of Audit Services and the remaining 22 were issued by the Office of the State Comptroller. Sixteen audits were of school districts, four were of special education service providers, two were of colleges, one was of a Board of Cooperative Educational Services, and one of a charter school.

The findings were in the areas of financial reporting, budgeting, claims processing, procurement, payroll, cash, information technology, extra-classroom activity fund, Consolidated Fiscal Reporting, Race to the Top Grant, school lunch, separation benefits, unrestricted fund balance, fuel accountability, online banking, policies and procedures, and incident reporting.

#### 2015 Fiscal Report

Our Chief Financial Officer provided the Members with the fiscal report for September. Extensive spending controls continue for all funds. General Fund spending reflects the amounts appropriated in the 2015-16 enacted budget. General Fund accounts are in structural balance. Special Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is projected to be reduced by approximately \$500,000.

### **CULTURAL EDUCATION**

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. Your Committee on Cultural Education Committee had its scheduled meeting on October 27, 2015.

In attendance were committee members: Regent Tilles, Chair, Regent Bendit, Regent Cea, Regent Brown, Regent Finn, Regent Chin, Regent Ouderkirk, Regent Johnson

Absent: Regent Cottrell

Regents In addition to CE Committee Members, in attendance were: Regents Cashin and Collins, Commissioner Elia and Executive Deputy Commissioner Berlin

### **ITEMS FOR DISCUSSION**

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting. Regent Tilles reminded those in attendance about the Museum Advisory Council meeting that will be held later today. He also reminded those in attendance that the Blue Ribbon Commission on Arts Assessments will present their report to the Board of Regents at the December meeting.

Museum Director Mark Schaming provided a brief report on activities of the State Museum. Mr. Schaming highlighted the current exhibition on the Coast and the Sea as well as ongoing work to renovate Bird Hall. He also highlighted the recent publication of the book Art for the People, which reviews the Museum's collection of stoneware.

State Librarian Bernard Margolis introduced and provided background on the appointments of Arlene Way and Emily Peterson to the Advisory Council on Libraries. Regent Collins requested a copy of the full list of members of the Advisory Council.

Motion to appoint Arlene Way and Emily Peterson made by Regent Brown. Seconded by Regent Cea.  
Unanimously approved.

Office of Cultural Education Director of Operations Thomas Ruller reviewed the legislative and budget priorities that related to cultural institutions. He reminded the committee that the full board will consider these priorities at its November meeting. The Museum Education Act, which will provide competitive grants to Museums statewide for improving and expanding educational programs was discussed. Also discussed was the request to increase funding for library construction by \$4.2 million, for a total appropriation of \$18.2 million. Finally, Mr. Ruller reviewed four federal programs that have important support for New York State cultural institutions, including the Institute for Museum and Library Sciences, the National Historical Publications and Records Commission, the National Endowment of the Humanities and the Innovative Approaches to Literacy program in the U.S. Department of Education. Mr. Ruller requested that the committee consider full support for the recommendations regarding these programs.

Regent Tilles remarked on the copies of the New York Archives magazine that was distributed to members of the committee, commending its quality and accessibility. Executive Deputy Beth Berlin complimented the State Archives awards program that occurred on October 22, where three student research awards were made to students across the state for their use of historical records in research.

John Diefenderfer, an Archivist in the State Archives presented on a model program for electronic records management, developed jointly by the State Archives and SUNY Plattsburgh through a grant from the National Historical Publications and Records Commission. The program developed tools, practices and resources that colleges and universities can use to manage and preserve records that are in electronic form, including such resources as online course catalogs, student records and architectural drawings of university buildings.

## **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on October 27, 2015.

### **Matters not requiring action:**

**Regents 2016 Federal Priorities.** Your Committee discussed the new priorities for 2016. Staff will return to the board with a proposal to request funding for clinically rich programs be added to the federal priorities. **HE (A) 1.**

**Regents 2016-17 State Budget Priorities.** Your Committee discussed the 2016-17 Budget Priorities. These priorities are expected to be approved at the November 2015 Regents meeting. **HE (D) 2**

**Regents 2016 State Legislative Priorities.** Your Committee discussed the 2016 State Legislative Priorities. These priorities are expected to be approved at the November 2015 Regents meeting. **HE (D) 3**

**Clinically Rich Teacher Preparation Programs.** Your Committee heard a presentation on the Clinically Rich Program. Panel members included representatives from Adelphi University, CUNY Lehman College, the University at Albany and Fordham University. **HE (D) 1**

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on October 26, 2015. All members were present except for Vice Chancellor Bottar and Regent Cottrell, who were excused.

### **ACTION ITEMS**

#### **Regents Examination in English Language Arts (Common Core) [P-12 (A) 1]**

Your Committee recommends that subparagraph (i) of paragraph (1) of subdivision (g) of section 100.5 of the Commissioner's Regulations be amended as submitted, effective October 27, 2015, as an emergency measure upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that school districts and students are given sufficient notice to prepare for and timely implement in the 2015-16 school year the provision providing, at the local school district's discretion, additional opportunities for students enrolled in Common Core English Language Arts courses, who began grade 9 prior to 2013, to take the Regents Comprehensive Examination in English (2005) in addition to the Regents Examination in English Language Arts (Common Core) at the January 2016 and June 2016 examination administrations, and to meet the English requirement for graduation by passing either examination.

#### **Board of Regents Authorized Charter School Revision – Compass Charter School [P-12 (A) 2]**

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to revise the charter would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the charter revision for Compass Charter School and amends the provisional charter accordingly. Regent Rosa abstained from the vote.

2016 Federal Legislative Priorities [P-12 (A) 3] – the Committee reviewed the 2015 priorities and also considered and approved new priorities for 2016.

School Receivership [P-12 (A) 4]

Your Committee recommends that section 100.19 of the Regulations of the Commissioner of Education is added, as submitted, effective October 27, 2015, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to immediately adopt revisions to the proposed amendment to clarify the timeframe for completion of collective bargaining relating to receivership agreements and to establish procedures for the Commissioner's resolution of unresolved issues regarding receivership agreements, which may be invoked by superintendent receivers at any time, and to otherwise ensure that the emergency rule adopted at the June 2015 Regents meeting, and revised and readopted as an emergency rule at the September 2015 Regents meeting, remains continuously in effect until the effective date of its adoption as a permanent rule; and it is further recommended that the emergency rule adding section 100.19 of the Regulations of the Commissioner of Education that was adopted at the September 12-13, 2015 meeting of the Board of Regents is repealed, effective October 27, 2015.

**MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your P-12 Education 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 October 27, 2015, copies of which have been distributed to each Regent.

**MATTERS NOT REQUIRING BOARD ACTION**

New York State Safe Schools Task Force Update [P-12 (D) 1] – the Committee was provided with an update on the implementation of the 36 recommendations developed by the NYS Safe Schools Task Force. To date, approximately two-thirds of the recommendations are in progress or completed. Staff discussed several of the largest initiatives that have been undertaken beginning in the 2014-15 school year and that are ongoing with the assistance of several Offices within the Department. The Committee directed staff to continue implementing the recommendations of the Task Force and to draft regulation changes, where appropriate, to bring back to the Board for review and adoption at a future meeting.

Regents 2016-2017 State Budget Priorities [P-12 (D) 2] – the Committee discussed the Department's proposed 2016-17 State budget priorities. The proposals will come before the Board of Regents for approval at their November meeting.

Regent 2016 State Legislative Priorities [P-12 (D) 3] – the Committee discussed the Department's proposed 2016 State legislative priorities. The proposals will come before the Board of Regents for approval at their November meeting.

## Consent Agenda

The Board of Regents will take action on the following consent agenda items at their October 27, 2015 meeting.

- Rensselaer City School District Consent to Exceed the Constitutional Debt Limit.
- School and District Accountability and New York State's approved ESEA Flexibility Renewal Waiver.

## **P-12 EDUCATION/ ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES) JOINT MEETING**

Your P-12 Education Committee and Adult Career and Continuing Education Services Committee (ACCES) held a joint meeting on October 26, 2015. All members were present, except for Vice Chancellor Bottar and Regent Cottrell, who were excused.

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

Preschool Special Education Programs and Services [P-12/ACCES (D) 1] – The Committees discussed proposed amendments to regulations relating to preschool special education programs and services. Discussion focused on the recommended policy changes to enhance the quality of preschool special education instruction and behavioral supports, improve efficient use of staff resources, improve effectiveness, coordination and continuity of special education services and support inclusion of preschool students with disabilities in regular early childhood programs and activities and in classes with nondisabled peers. It is anticipated that the proposed amendment will be presented for adoption at the January 2016 Board of Regents meeting.

Targeted Improvement Activities and Resources to Improve Results for Students With Disabilities [P-12/ACCES (D) 2] – the Committee discussed critical areas for action and proposed improvement activities aligned with the Blueprint for Improved Results for Students with Disabilities. The Blueprint was developed in consultation with the Commissioner's Advisory Panel for Special Education, parents and technical assistance providers. The discussion focused on the seven core principles of the Blueprint and practices supported by research for all students with disabilities. An update on placements of students with disabilities in integrated settings (least restrictive environment) will be presented to the Regents at their November meeting.

Transition Planning and Services for Students with Disabilities [P-12/ACCES (D) 3] – the Committee discussed Department initiatives to improve transition planning and services and employment outcomes for students with disabilities. Transition services are a coordinated set of activities focused on improving the academic and functional achievement of students to facilitate their movement from school to post-school activities. Discussion focused on enhancing access to quality CTE programs and work-based learning activities to prepare students with disabilities with essential work

readiness skills. The Offices of P-12 Education and Adult Career and Continuing Education Services will continue to work collaboratively on this initiative and will update the Regents at a future meeting.

## **P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING**

Your P-12 Education Committee and Higher Education Committee held a joint meeting on October 26, 2015. All members were present, except for Vice Chancellor Bottar and Regent Cottrell, who were excused.

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

Roadmap to College [P-12/HE (D) 1] – the Committees were provided with an update on the Blueprint for English Language Learners' Success and the ELL Roadmap to College. The Office of Bilingual Education and World Languages and The Bronx Institute at Lehman College of The City University of New York have been working together on the creation of the parent informational materials for the ELL Roadmap to College. The Roadmap is a comprehensive step-by-step guide for ELLs and their parents or guardians on how to prepare and apply to college beginning in middle school and continuing through high school. It advises students on academics, extracurricular activities, and other work that will prepare them for college. Presentations were made by Bruce A. Irushalmi, Associate Director, The Bronx Institute at Lehman College and Fausto Salazar, Principal at New World High School in the Bronx. They spoke about the Roadmap initiative and how it lead their schools to success in supporting vast numbers of Bronx secondary school students (including ELLs and students in special education programs) graduate high school and enter college.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on October 27, 2015. All members were present, except Vice-Chancellor Anthony S. Bottar and Regent James E. Cottrell who were excused. Chancellor Merryl H. Tisch was also present.

### **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. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 50 consent order applications and 8 surrender applications be granted.

In the case of Donna Yvonne McGlothlin, Licensed Practical Nurse, Calendar No. 26893, we recommend that the report of the Regents Review Committee be corrected

as follows: wherever the report states that respondent is a Registered Professional Nurse, the title of respondent's profession shall be deemed to read that respondent is a Licensed Practical Nurse.

These recommendations are made following the review of 62 cases involving fifteen registered professional nurses, eleven licensed practical nurses, four licensed practical nurses who are also registered professional nurses, three architects, three dentists, three pharmacists, three professional engineers, three veterinarians, two physical therapists, one certified dental assistant, one certified public accountant, one certified public accountant professional corporation, one licensed master social worker, one licensed master social worker who is also a licensed clinical social worker, one massage therapist, one occupational therapy assistant who is also an occupational therapist, one podiatrist, and one speech-language pathologist.

### **Restorations**

Your Committee recommends the following:

That the application of David A. Brescia for the restoration of his license to practice as a dentist in New York State be denied. [PPC EXS (A) 4]

That the application of Amara Conteh for the restoration of his license to practice as a physician in New York State be denied. [PPC EXS (A) 5]

That the execution of the surrender of Syed Hussain's license to practice as a dentist in New York State be stayed; that he be placed on probation for a period of one year under the terms and conditions of probation attached to the Report of the Committee on the Professions and marked as Exhibit A; and that, upon successful completion of probation, his license be fully restored. [PPC EXS (A) 6]

That the application of Yuri Patin for the restoration of his license to practice as a physician in New York State be denied. [PPC EXS (A) 7]

### **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 October 27, 2015, 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
  - RRC Appointments



**Proposed Amendment to the Rules of the Board of Regents Relating to the Authorization of Degrees** (Discussion) – Proposed amendments to sections 3.47 and 3.50 of the Rules of the Board of Regents relating to the addition of the Doctor of Occupational Therapy (O.T.D.) Degree in New York

**Continuing Education for Licensed Mental Health Counselors** (Discussion) – The proposed rule establishes mandatory continuing education requirements and standards for the Department’s approval of continuing education providers.

**Continuing Education for Licensed Psychoanalysts** (Discussion) – The proposed rule establishes mandatory continuing education requirements and standards for the Department’s approval of continuing education providers.

**Continuing Education for Licensed Marriage and Family Therapists** (Discussion) – The proposed rule establishes mandatory continuing education requirements and standards for the Department’s approval of continuing education providers.

**Continuing Education for Licensed Creative Arts Therapists** (Discussion) – The proposed rule establishes mandatory continuing education requirements and standards for the Department’s approval of continuing education providers.

**Regents 2016 State Legislative Priorities** (Discussion)

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Betty A. Rosa  
**Action:** Motion carried unanimously.

**State Education Department September 2015 Fiscal Report  
BR (A) 3**

**MOVED**, that the Board accepts the September 2015 State Education Department Fiscal Report as presented.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent T. Andrew Brown  
**Action:** Motion carried unanimously.

Chancellor Merryl H. Tisch adjourned the meeting.

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

<b>Name of Institution</b>	<b>Program Area</b>	<b>County of Location</b>	<b>Description of Charter Action(s)</b>
Bancroft Public Library	CE	Washington	Grant provisional charter for five years.
The Central Park Historical Society	CE	Nassau	Extend provisional charter for five years.
Garibaldi-Meucci Museum	CE	Richmond	Grant an absolute charter.
The Incorporated Long Island Chapter of the New York State Archaeological Association	CE	Suffolk	Consent to filing of certificate of assumed name "Southold Indian Museum".
Marjorie Dieter Mastin Historical Society	CE	Allegany	Amend charter to change the corporate address.
Motorcyclepedia	CE	Orange	Extend provisional charter for five years.
Pleasant Valley Free Library	CE	Dutchess	Amend charter to designate the library's service area to be coterminous with the Town of Pleasant Valley.
Riverbank Historic House Museum	CE	Orange	Extend provisional charter for five years.
Saint Marianne Cope Shrine & Museum	CE	Onondaga	Grant provisional charter for five years.
Underground Railroad History Project of the Capital Region	CE	Albany	Grant an absolute charter.
The Atlas School	P12/OP	New York	Grant provisional charter for three years.
Olivet Academy	P12	New York	Grant a provisional charter for one year, with operation of school conditional upon receipt of a certificate of occupancy and fire inspection report for the Dutchess County (Wingdale) site; and any requisite approvals from the NYC Department of Health, Division of Day Care (for Manhattan site); and the NYS Office of Children and Family Services and Dutchess County Department of Health (for Wingdale site).

Rye Country Day School	P12	Westchester	Amend charter to increase the maximum number of trustees to be 35.
The Saratoga Independent School	P12	Saratoga	Extend provisional charter for three years.
Webster Nursery School	P12	Monroe	Dissolve charter and approval to distribute assets to Woodside Nursery School.
Albert Einstein College of Medicine, Inc.	OP	Bronx	Consent to filing of certificate of assumed name "Albert Einstein College of Medicine".
International Seminary for Interfaith Studies	HE/OP	New York	Amend charter to change the corporate address and name to New Vision Interspiritual Seminary.
Touro College	HE	New York	Amend charter to add authority to establish a branch campus in Valhalla, New York and to confer the Master of Science degree (M.S.) at the Valhalla campus.

## Appendix II

### REGENTS ACTIONS IN 62 PROFESSIONAL DISCIPLINE CASES AND 4 RESTORATION PETITIONS

October 26 - 27, 2015

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, the surrender of 8 licenses, and 53 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 4 restoration petitions.

#### I. REVOCATION AND SURRENDERS

##### Architecture

**George William Konz**; Ridgewood, NY 11385-6061; Lic. No. 018289; Cal. No. 28308; **Application to surrender license granted. Summary:** Licensee did not contest the charge of willfully failing to complete mandatory continuing education requirements.

##### Nursing

**Donna Yvonne McGlothlin**; Licensed Practical Nurse; Glens Falls, NY 12801, Saratoga Springs, NY 12866; Lic. No. 304508; Cal. No. 26893; **Found guilty of professional misconduct; Penalty:** Revocation.

**Marie Nadia Jean-Baptiste**; Licensed Practical Nurse; Hollis, NY 11423; Lic. No. 244749; Cal. No. 28426; **Application to surrender license granted. Summary:** Licensee did not contest the charge of stealing credit or debit cards from residents of a Rehabilitation and Healing Center and knowingly and with intent to defraud, assumed the identities of said residents by using personal information of said residents, and obtaining goods, money, property and services and using credit in the names of said residents and causing financial loss to said residents.

**Wendy Ambrose Potter a/k/a Wendy Potter**; Registered Professional Nurse; Fishkill, NY 12524; Lic. No. 273142; Cal. No. 28433; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Unauthorized Practice a crime (Medicine), a felony.

##### Pharmacy

**Frank Ali Odeh**; Pharmacist; Herndon, VA 20171; Lic. No. 042438; Cal. No. 28508; **Application to surrender license granted. Summary:** Licensee admitted to the charge of failing, as a pharmacist-in-charge of a pharmacy in Virginia, to dispense prescriptions in reasonable conformity with the directions for use as indicated by the practitioner, with the recommended dosage, or with the exercise of sound professional judgment.

**Emma Osiris Dolmo**; Pharmacist; La Place, LA 70068; Lic. No. 051251; Cal. No. 28526; **Application to surrender license granted. Summary:** Licensee admitted to the charge of administering immunizations in Louisiana without certification; and failing to complete the required continuing professional education credits as a condition for annual license renewal of my license to practice as a pharmacist in the State of Louisiana.

### **Physical Therapy**

**Jack Tomas Hadam**; Physical Therapist; Tamworth, NH 03886; Lic. No. 017142; Cal. No. 28468; **Application to surrender license granted. Summary:** Licensee admitted to the charge of permitting a physical therapist assistant, a licensed massage therapist and a kinesiologist to perform physical therapy in the State of New Hampshire.

**Manolito Castillo Simbahan**; Physical Therapist; Conroe, TX 77301; Lic. No. 018054; Cal. No. 28527; **Application to surrender license granted. Summary:** Licensee admitted to the charge of failing to complete the required continuing professional education credits as a condition for biennial license renewal of my license to practice as a physical therapist in the State of Texas.

### **Veterinary Medicine**

**Doreen Kaye Daniels**; Veterinarian; Ontario, CA 91762; Lic. No. 008720; Cal. No. 28528; **Application to surrender license granted. Summary:** Licensee admitted to the charge of being dependent on Valium, a controlled drug having similar effects to barbiturates.

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

### **Architecture**

**Timothy Joseph Tyskiewicz**; Victor, NY 14564; Lic. No. 026659; Cal. No. 28183; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

**Robert H. Barstow**; Sleepy Hollow, NY 10591; Lic. No. 016326; Cal. No. 28208; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation, \$500 fine payable within 30 days.

### **Dentistry**

**Michelle Marie Kelly**; Certified Dental Assistant; Chittenango, NY 13037-1508; Cert. No. 001076; Cal. No. 27972; **Application for consent order granted; Penalty agreed**

**upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

**Widad A. Rafla;** Dentist; Brooklyn, NY 11220-3112; Lic. No. 031107; Cal. No. 28058; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,500 fine.

**Ellen Jane Guerriero;** Dentist; Bayport, NY 11705; Lic. No. 039297; Cal. No. 28085; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 33 month stayed suspension, 3 years probation to commence when and if return to practice.

**Rafael Dejesus Rodriguez;** Dentist; Union City, NJ 07087; Lic. No. 049155; Cal. No. 28111; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$5,000 fine.

### **Engineering and Land Surveying**

**Patrick O'Neill Fiedler;** Professional Engineer; La Canada Flintridge, CA 91011-3643; Lic. No. 083136; Cal. No. 28218; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$1,500 fine payable within 90 days.

**Robert Vivak Nangia;** Professional Engineer; Cypress, TX 77433-2442; Lic. No. 087009; Cal. No. 28221; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$1,500 fine payable within 90 days.

**Stephen Phillip Maslan;** Professional Engineer; Kansas City, MO 64131; Lic. No. 064160; Cal. No. 28228; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$5,000 fine.

### **Massage Therapy**

**Kimberly A. Brenon;** Sag Harbor, NY 11963; Lic. No. 018779; Cal. No. 28174; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 2 years probation.

### **Nursing**

**Michelle M. Roe;** Licensed Practical Nurse; Hornell, NY 14843; Lic. No. 102875; Cal. No. 26673; **Found guilty of professional misconduct; Penalty:** 24 month suspension, execution of last 21 months of suspension stayed, probation 2 years to commence subsequent to termination of actual suspension and upon actual return to practice.

**Sylvia Susan Fondry a/k/a Sylvia Susan Green**; Licensed Practical Nurse, Registered Professional Nurse; Latham, NY 12110; Lic. Nos. 196343, 407676; Cal. Nos. 27291, 27292; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation to commence upon return to practice, \$500 fine.

**Mitchell Scott Reingold**; Licensed Practical Nurse; Medford, NY 11763; Lic. No. 298569; Cal. No. 27348; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 2 years probation.

**Monika A. Vidal**; Registered Professional Nurse; Walden, NY 12586; Lic. No. 516970; Cal. No. 27588; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine payable within 2 months.

**Anastazia Marie Medina**; Licensed Practical Nurse; Center Moriches, NY 11934; Lic. No. 293527; Cal. No. 27642; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

**Michael James Broadbent**; Registered Professional Nurse; Blasdell, NY 14219; Lic. No. 614648; Cal. No. 27725; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Deirdre A. Kelly**; Registered Professional Nurse; Bronx, NY 10465; Lic. No. 492102; Cal. No. 27902; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Danya L. Bodden**; Registered Professional Nurse; Saint Petersburg, FL 33710, Delmar, NY 12054-9638; Lic. No. 626992; Cal. No. 27970; **Found guilty of professional misconduct; Penalty:** \$500 fine, indefinite suspension until alcohol abuse-free and until fit to practice, probation 2 years to commence subsequent to termination of indefinite suspension and upon actual return to practice.

**Jennifer Marie Salvatore a/k/a Jennifer M. Salvatore**; Licensed Practical Nurse; Liverpool, NY 13088; Lic. No. 294249; Cal. No. 27984; **Found guilty of professional misconduct; Penalty:** \$500 fine, indefinite suspension until substance abuse-free and until fit to practice, probation 2 years to commence subsequent to termination of indefinite suspension and upon actual return to practice.

**William J. McLaughlin**; Licensed Practical Nurse; Patchogue, NY 11772; Lic. No. 269563; Cal. No. 27988; **Application for consent order granted; Penalty agreed upon:** 24 month stayed suspension, 24 months probation.

**Katie Joe Mills**; Registered Professional Nurse; Wellsville, NY 14895; Lic. No. 563109; Cal. No. 28025; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for no less than 1 month and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

**Theresa Ann Barry**; Registered Professional Nurse; Camillus, NY 13031; Lic. No. 504028; Cal. No. 28062; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Lavern Myrie**; Licensed Practical Nurse, Registered Professional Nurse; Ellicott City, MD 21042; Lic. Nos. 208538, 425405; Cal. Nos. 28064, 28063; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, concurrent 2 years probation.

**Ann M. Zawicki**; Registered Professional Nurse; Amherst, NY 14226; Lic. No. 358471; Cal. No. 28090; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$250 fine.

**Christian Grant Burger**; Registered Professional Nurse; Avon, NY 14414-9551; Lic. No. 651295; Cal. No. 28108; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$1,000 fine.

**Lynn Cheri Skinner**; Licensed Practical Nurse, Registered Professional Nurse; Elmira, NY 14905; Lic. Nos. 230604, 461569; Cal. Nos. 28110, 28109; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Shaunakay Meikle**; Licensed Practical Nurse; Mount Vernon, NY 10553-2005; Lic. No. 296002; Cal. No. 28114; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

**Ryan Caleb Fleming**; Registered Professional Nurse; Mexico, NY 13114-3380; Lic. No. 594951; Cal. No. 28119; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Kellie R. Reese**; Licensed Practical Nurse; Rochester, NY 14617; Lic. No. 296018; Cal. No. 28131; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$250 fine.

**Dawn Burtchell Fishback**; Registered Professional Nurse; Geneva, NY 14456; Lic. No. 502649; Cal. No. 28137; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, 2 years probation to commence upon return to practice, \$500 fine.

**Amanda M. Lynch**; Registered Professional Nurse; Albany, NY 12208-1011; Lic. No. 613100; Cal. No. 28164; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.



**Kevin M. Graiani**; Registered Professional Nurse; Pompton Plains, NJ 07444; Lic. No. 621536; Cal. No. 28170; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 2 years probation.

**Kristi Lynne Cianfrano a/k/a Kristi Lynne Colmey**; Registered Professional Nurse; Oriskany, NY 13424; Lic. No. 527841; Cal. No. 28206; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

**Jacqueline Anne Trudeau**; Licensed Practical Nurse, Registered Professional Nurse; Tupper Lake, NY 12986; Lic. Nos. 167996, 534901; Cal. Nos. 28225, 28226; **Application for consent order granted; Penalty agreed upon:** 2 year suspension, upon termination of suspension, 2 years probation to commence upon return to practice.

**Michele A. Darmetko**; Licensed Practical Nurse; Rensselaer, NY 12144; Lic. No. 270397; Cal. No. 28234; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$250 fine.

**Jessica Amy Ross**; Registered Professional Nurse; Corinth, NY 12822; Lic. No. 661382; Cal. No. 28235; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Jasmin Elisa Moro**; Licensed Practical Nurse; Kingston, NY 12401; Lic. No. 278806; Cal. No. 28391; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$250 fine.

### **Occupational Therapy**

**Latchman Bhansingh**; Occupational Therapy Assistant, Occupational Therapist; Elmont, NY 11003; Cert. No. 006224, Lic. No. 013945; Cal. Nos. 27368, 27369; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

### **Pharmacy**

**Kari Anne Wilkens**; Pharmacist; Indian Trail, NC 28079; Lic. No. 050580; Cal. No. 27273; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine.

## Podiatry

**Anton Preisser Ginzburg**; Brooklyn, NY 11235; Lic. No. 004554; Cal. No. 27650; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$10,000 fine.

## Public Accountancy

**Michael T. Studer**; Certified Public Accountant; Amityville, NY 11701; Lic. No. 033662; Cal. No. 27833; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$10,000 fine.

**Michael T. Studer C.P.A., P.C.**; 3 Carolyn Court, Amityville, NY 11701; Cal. No. 27834; **Application for consent order granted; Penalty agreed upon:** \$5,000 fine, 2 years probation.

## Social Work

**Kenneth Charles Price**; Licensed Master Social Worker, Licensed Clinical Social Worker; Felts Mills, NY 13638-0189; Lic. Nos. 077094, 077030; Cal. Nos. 27942, 27941; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, 2 years probation.

**Ketisha Zenobia Peters**; Licensed Master Social Worker; Brooklyn, NY 11212; Lic. No. 072967; Cal. No. 28038; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$1,000 fine.

## Speech-Language Pathology and Audiology

**Deena K. Bernstein**; Speech-Language Pathologist; Lawrence, NY 11559-1430; Lic. No. 001092; Cal. No. 28020; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 24 months probation.

## Veterinary Medicine

**Nazar Pereymybidia**; Veterinarian; Fort Lee, NJ 07024; Lic. No. 010385; Cal. No. 27879; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, concurrent 2 years probation, \$2,500 fine.

**Mahmoud Elbasty**; Veterinarian; Jackson Heights, NY 11372; Lic. No. 008648; Cal. No. 28125; **Application for consent order granted; Penalty agreed upon:** Partial actual suspension in certain area for a period of not less than 6 months and until successfully complete a course of retraining in said certain area, 24 months probation, \$7,500 fine.

### **III. RESTORATIONS**

The Board of Regents voted on October 27, 2015 to deny the application for restoration of the dentist license of David A. Brescia, Poughquag, NY. Dr. Brescia's license was originally surrendered May 22, 2007.

The Board of Regents voted on October 27, 2015 to deny the application for restoration of the physician license of Amara Conteh, Old Tappan, NJ. Dr. Conteh's license was originally revoked April 23, 2007.

The Board of Regents voted on October 27, 2015 to stay the execution of the order of surrender of the dentist license of Syed A. Hussain, Hartland, WI, to place him on probation for one year under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Dr. Hussain's license was originally surrendered January 18, 2005.

The Board of Regents voted on October 27, 2015 to deny the application for restoration of the physician license of Yury Patin, Summit, NJ. Dr. Patin's license was originally revoked April 20, 2009.

# ATTACHMENT I

## Commissioner's Update

New York State Education Department  
Monday, October 26, 2015

- Since our last meeting I've continued my statewide tour to talk with students, teachers, school board members, superintendents, principals, Deans and staff from higher education institutes, business officials, BOCES, from small cities to our large; from rural to urban.
- A wide range of discussion but Common Core Standards, Testing and Evaluations/APPR are the dominant topics.

# What's next: Common Core Learning Standards

- We launched the NYS P-12 Common Core Learning Standards survey *AIMHighNY* on Wednesday, October 21 and have received over 4,500 unique visitors.
- We will be reviewing the survey data with various groups representing teachers, parents, students, Higher Education Institutes, school board members, educational administrators and business and workforce representatives. Recommended next steps will be presented to the Board.
- Recommendations which will also be shared with the Governor's Task Force.
- Participated in the Governor's first Common Core Task Force meeting (executive session). Discussed the importance of community engagement.

# What's next: NYS Assessments

- SED has contracted with a new vendor.
- Work is underway to significantly increase educator participation to ensure the items/passages are:
  1. grade level appropriate;
  2. presented at a readability level that is grade appropriate;
  3. within grade-level expectations;
  4. fair and appropriately measure the learning standards approved by the Board of Regents for such grades and subjects; and
  5. of a correct length to ensure that adequate and appropriate time is given to students for the administration of such assessments.
- **Educator Passage Review (*New opportunity for educator participation*)**
- **Internal Item Review (*New opportunity for educator participation*)**
- **Educator Item Review**
- **Rangefinding**
- **Forms Construction (*New opportunity for educator participation*)**
- **Final Eyes**

# Changes for the Spring 2016 3-8 Assessments

- The Spring 2016 Grade 3-8 tests will contain fewer test questions in ELA and math.
- Educators will have a role in selecting passages and items as well as in constructing the forms.
- Test data was released earlier than in previous years.
- In addition, 50 percent of the questions from the 2015 test were released. Next year, there will be as full a release as possible and as early as possible.
- Department has developed a tool kit to support the communication of the value and importance of annual testing to schools and communities. This resource will be shared with superintendents, school board members and principals.
- Review the way teachers access data to make certain it is teacher friendly and can be used in the most productive manner as well as review how parents receive data to make certain that it accurately portrays their child's performance.



# Evaluation

- Review of the growth model is underway.
- Appeals process for growth score advanced by the Board is being utilized by teachers.
- Nearly 200 Hardship Waivers approved related to 3012-d APPR plans (with close to 90 pending). Hardship Waivers for 3012-d evaluation plan deadline is October 30.
- Have approved over 200 assessments to be used with SLOs.
- Waivers for independent observers for rural schools

**Thank you.**