



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 October 2016 Meeting

DATE: November 3, 2016

AUTHORIZATION(S): *Margellen Eia*

Executive Summary

Issue for Decision

Review of the Summary of the October 2016 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of October 2016 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 2016 meeting.

Timetable for Implementation

Effective November 15, 2016.

VOTED, that the Summary of the October 2016 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE OCTOBER 2016 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 17 and 18, 2016

**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 17, 2016 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, October 17th at 9:00 a.m.

Board Members in Attendance:

Betty A. Rosa, Chancellor
T. Andrew Brown, Vice Chancellor
James R. Tallon, Jr.
Roger Tilles
Lester W. Young, Jr.
Christine D. Cea
Kathleen M. Cashin
James E. Cottrell
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Judith Johnson
Nan Eileen Mead
Luis O. Reyes

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Acting Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Wade Norwood, Josephine Victoria Finn and Elizabeth S. Hakanson were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 9:00 a.m. Regent Chin was asked to provide thoughts for a moment of reflection.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session today, Monday, October 17th at 3:30 PM. to discuss legal matters.

Motion by: Vice Chancellor T. Andrew Brown
Seconded by: Regent Nan Eileen Mead
Action: Motion carried unanimously

PRESENTATION

Every Student Succeeds Act (ESSA)

Commissioner Elia presented information to the Board of Regents regarding the Every Student Succeeds Act (ESSA) (Attachment I.)

Chancellor Betty A. Rosa adjourned the meeting.

The Board of Regents of The University of the State of New York held a public session on Tuesday, October 18, 2016 at 11:50 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Tuesday, October 18th at 11:50 a.m.

Board Members in Attendance:

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Acting Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Josephine Victoria Finn and Elizabeth S. Hakanson were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 11:50 a.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 2016 Meeting of the Board of Regents

BR (A) 2

MOVED, that the Summary of the September 2016 Meeting of the Board of Regents of The University of the State of New York be approved.

**April 2017 Meeting of the Board of Regents – Date Change
BR (A) 4**

MOVED, that the April 2017 meeting of the Board of Regents be changed to April 3 - 4, 2017.

Motion by: Regent Roger Tilles
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

Higher Education

**Proposed Amendment to Section 80-3.5 of the Commissioner’s Regulations to
Establish New Pathway Options for the Transitional A Certificate in a Career and
Technical Education Subject for Candidates Who do not Meet the Current
Requirements but who Possess Industry Experience, Credentials, or are in the
Process of Completing Certification
BR (CA) 1**

MOVED, that new paragraphs (5), (6), and (7) to subdivision (b) of section 80-3.5 of the Regulations of the Commissioner of Education be added, as submitted, effective November 12, 2016, 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 in response to public comment, and to otherwise ensure that the emergency rule adopted at the September 2016 Regents meetings, as revised, remains continuously in effect until the effective date of its adoption as a permanent rule.

**Fei Tian College: Master Plan Amendment to offer Master of Music (Mus.M.) in
Performance and Master of Fine Arts (M.F.A.) in Classical Chinese Dance
Programs
BR (CA) 2**

MOVED, that the Board of Regents approve a master plan amendment to authorize Fei Tian College to offer a program in Performance leading to the Mus.M. and a program in Classical Chinese Dance leading to the M.F.A.

**Yeshiva University: Master Plan Amendment to offer an Associate in Science
(A.S.) program in Management
BR (CA) 3**

MOVED, that the Board of Regents approve an amendment to the master plan of Yeshiva University authorizing the University to offer the Associate in Science (A.S.) in Management program.

P-12 Education

**Proposed Amendment of Section 100.5 of the Regulations of the Commissioner,
Relating to the Social Studies Regents Examination Requirements for a Diploma
BR (CA) 4**

MOVED, that paragraph (5) of subdivision (a) of section 100.5 of the Regulations of the Commissioner of Education is amended, as submitted, effective November 2, 2016.

**Registration of a Nonpublic High School
BR (CA) 5**

MOVED, that the following school is registered:

School	County
Victory Christian Academy	Suffolk

**Amendment to Section 100.19 of the Regulations of the Commissioner of
Education Relating to Community School Grants and the Definition of Community
Schools to Implement Education Law § 211-f and Chapter 53 of the Laws of 2016
BR (CA) 6**

MOVED, that section 100.19 of the Regulations of the Commissioner of Education be amended, effective October 24, 2016 as an emergency action upon a finding by the Board of Regents that such action is necessary in order to immediately establish the eligibility requirements for community school grants to implement Chapter 53 of the Laws of 2016 so that eligible school districts with schools designated by the Commissioner as persistently struggling and struggling throughout the 2016-2017 school year can apply, and receive monies, to establish community schools; and

MOVED, that section 100.19 of the Regulations of the Commissioner of Education be amended, effective November 2, 2016.

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 - REVISED**

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.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent Roger Tilles
Seconded by: Regent Catherine Collins
Action: Motion carried unanimously.

STANDING COMMITTEE REPORTS

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on October 17, 2016. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

Proposed Regents State Legislative Priorities for ACCES

Your committee was provided information on Reader's Aid legislation. The proposed legislation would increase the annual aid cap per student, expand eligibility to include non-degree granting proprietary schools in New York State, provide eligibility for students with learning disabilities and print disabilities, and authorize the use of up to half of the funds for the purchase of assistive technology.

Proposed Regents State Budget Priorities for ACCES

Your committee was provided information on State budget priorities for Bridge Programs and Independent Living Centers. Bridge programs enable out-of-school

youth and adults to obtain critical basic skills, high school equivalency diplomas, and industry-recognized credentials. It is recommended that the Regents consider reauthorizing last year's request for \$10 million. Independent Living Centers serve people with disabilities and their families by providing an array of services to help these individuals live a fully integrated and self-directed life. Independent Living Centers currently receive approximately \$13.3M in state funding. We are requesting a \$5 million increase. It is recommended that the Regents consider supporting the sector's budget request and support accountability mechanisms to ensure that new funding creates improved services and results for this population of New Yorkers.

CULTURAL EDUCATION

Your Committee on Cultural Education Committee had its scheduled meeting on October 17, 2016. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report.

In attendance were committee members: Regent Tilles, Chair, Regent Cea, Regent Cottrell, Regent Chin, Regent Ouderkirk and Regent Johnson. In addition to CE Committee Members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regents Tallon, Cashin, Collins, Norwood, Reyes and Mead as well as Commissioner Elia and Executive Deputy Commissioner Berlin.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles opened the meeting and welcomed everyone at 9:15. He highlighted a number of activities, including the Annual Archives Award luncheon, which will happen at 12:30 this afternoon, the meeting of arts educators which will also occur today at 12:30 and the four remaining Uncommon Approaches to Cultural Education workshops that are happening across the state, in partnership with the Museum Association of New York.

State Museum Update

Mark Schaming, Director, New York State Museum presented a report to the committee regarding upcoming museum exhibitions and recent acquisitions. He described the soon to open Plaza Art Collection exhibit which is being organized with the Office of General Services. He also remarked that the Museum's exhibition on the Erie Canal will open on September 16, 2017.

New York State History Month

Devin Lander, State Historian opened his presentation speaking about the Arts and Cultural Affairs Law, Section 57.03, that designates November as New York State History Month - a month-long celebration of state history and the contributions of state and local government historians. The law authorizes the Education Department to

undertake projects to recognize the month. In addition, Mr. Lander provided background about the role of the State Historian and reviewed the web site that the Office of State History has developed to share information with a statewide audience of historians and those interested in history.

Legislative and Budget Priorities

The Committee briefly reviewed two budget priorities for the Office of Cultural Education, an increase in aid for library construction and a new appropriation of funding to support a statewide e-book platform. The committee also reviewed the Museum Education Act, which will improve the connections between Museums and schools through grants and other activities. Regent Tilles remarked that the bill had a large number of sponsors.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on October 18, 2016. All members were present.

ACTION ITEMS

Proposed Amendment of Section 80-1.5 of the Regulations of the Commissioner of Education Relating to the Safety Nets for the Revised Content Specialty Tests - HE (A) 2

Your Committee discussed amending Section 80-1.5 of the Commissioner's Regulations to create a new safety net for the Content Specialty Tests (CSTs) required for teacher certification. The amendment allows those taking any of the 14 new CSTs being released in November 2016 to take and pass either the revised CST or the predecessor CST for certification, until June 30, 2019. The amendment also makes conforming changes to the existing safety nets for the currently operational revised CSTs to allow candidates who apply for certification on or after October 18, 2016 or who have a pending certification application with the Department to take and pass either the revised CST or the predecessor CST (even if the candidate took and passed the predecessor CST on or before October 18, 2016). This safety net will expire on June 30, 2017. Last, the amendment extends the current safety net for the Multi-Subject 7-12 Part two: mathematics CST until June 30, 2018. VOTED: That Part 80 of the Regulations of the Commissioner of Education be amended effective October 18, 2016, 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 ensure that teacher candidates who will be taking the new and revised CSTs have timely and sufficient notice of the safety net options available to them so that they may receive an initial certificate. It is anticipated that the proposed amendment will be adopted by the Board of Regents as a permanent rule at their January 2017 meeting.

Authorization to Allow the Department to Enter into a Consent Agreement with the Mid-America Baptist Theological Seminary to Clarify its Authority to Operate in New York State - HE (A) 1

Your Committee discussed the current status of Mid-America Baptist Theological Seminary, which exists in and was incorporated in Tennessee in 1975, and authorized by the Board of regents to operate a branch campus in New York State in 1986. Recently the Department became aware that the status of the Seminary as a Tennessee corporation authorized to operate and confer degrees to students in New York was unclear, and the Department is recommending that the Board of Regents authorize the Department to enter into a consent agreement to clarify the Seminary's status in New York. VOTED: that the Board authorize the Department to enter into a consent agreement with Mid-America Baptist Theological Seminary in order to clarify the status of the Seminary in New York.

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Higher 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 18, 2016, copies of which have been distributed to each member of the Board of Regents.

OTHER MATTERS NOT REQUIRING BOARD ACTION

National Board Certification for Teachers Work Group Report - HE (D) 1

Your Committee heard a presentation by the co-chairs of the National Board Council of New York (NBCNY). The NBCNY convened a work group in partnership with the Department to examine the current state of National Board certification. The presentation focused on the findings of the work group. The work group has published a report of their findings from the series of meetings. The report, which can be found on the web at http://media.wix.com/ugd/4b57fc_d2440ce4dbd244dab37edc9321f8adf9.pdf ([link is external](#)), provides recommendations to build awareness around the benefits of the National Board process to all stakeholder groups and identifies strategies to address these areas. The report promotes capitalization of P-20 partnerships and collaborations.

State Legislative and Budget Priorities - HE (D) 2, 3

Your Committee discussed the draft initiatives to be advanced during the 2017 legislative session and the proposals to be advanced during the 2017-18 budget cycle.

CONSENT AGENDA

The Board of Regents took action on the following consent agenda items at their October 18, 2016 meeting.

- Proposed Amendment to Section 80-3.5 of the Commissioner's Regulations to Establish New Pathway Options for the Transitional A Certificate in a Career and Technical Education Subject for Candidates Who do not Meet the Current Requirements but who Possess Industry Experience, Credentials, or are in the Process of Completing Certification - BR (CA) 1
- Fei Tian College: Master Plan Amendment to offer Master of Music (Mus.M.) in Performance and Master of Fine Arts (M.F.A.) in Classical Chinese Dance Programs - BR (CA) 2
- Yeshiva University: Master Plan Amendment to Offer an Associate in Science (A.S.) Program in Management - BR (CA) 3

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on October 17, 2016. All members were present except for Regents Norwood, Finn, and Hakanson, who were excused.

ACTION ITEMS

Regulations to Require Superintendents to Make a Local Determination as to Academic Proficiency for Certain Students with Disabilities to Graduate with a Local Diploma [P-12 (A) 1]

Your Committee recommends that the emergency action taken at the September 2016 Regents meeting to add a new paragraph (12) to subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education, is rescinded, effective October 17, 2016 and that a new paragraph (12) be added to subdivision (d) of section 100.5 of the 7 Regulations of the Commissioner and clause (c) of subparagraph (i) of paragraph (7) of subdivision (d) of section 100.5, and subparagraph (ix) of paragraph (2) of subdivision (d) of section 200.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 18, 2016; 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 ensure that certain students with disabilities who are graduating from high school and their parents are aware that if they do not meet the graduation standards through the existing appeal and safety net options, that the parent may request that the superintendent make a determination as to whether the student has met the academic standards and is eligible for a diploma; and to further ensure that superintendents are on notice that they must make a determination as to whether certain students with disabilities are eligible for local diploma if the student meets the requirements of the proposed amendment upon receipt of a written request from an eligible student's parent; and to further ensure that the emergency rule adopted at the June and September Regents meetings and as further revised, as submitted, remain in effect until it can be adopted as a permanent rule.

Regulations relating to the Calculation of Scores for Student Learning Objectives in the Student Performance Category of Annual Professional Performance Reviews for Teachers and Principals in the City School District of the City of New York [P-12 (A) 2]

Your Committee recommends that sections 30-3.4 and 30-3.5 of the Rules of the Board of Regents shall be amended, effective October 25, 2016, 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 provide additional flexibility for the City School District of the City of New York to calculate scores and ratings for student learning objectives pursuant to a methodology approved by the Commissioner in its APPR plan so that it can be used in the 2016-2017 school year once an annual professional performance review plan is approved by the Commissioner.

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 18, 2016, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Child Abuse Hotline [P-12 (D) 1] – The Committee discussed proposed regulations that would require that every public school, including charter schools, post the child abuse hotline telephone number and ensure that it is clearly visible in a location that is readily accessible for students and provide directions to access the New York State Office of Children and Family Services website. This requirement is the result of Chapter 105 of the Laws of 2016, as signed by the Governor on July 21, 2016. It is anticipated that the proposed regulations will be brought back to the Regents in early 2017.

McKinney-Vento Homeless Assistance Act for the Education of Homeless Children and Youths, as Reauthorized by the Every Student Succeeds Act (ESSA) [P-12 (D) 2] – The Committee discussed several changes that were made to the McKinney-Vento Act as a result of the Every Student Succeeds Act (ESSA) of 2015. The changes to McKinney-Vento will require several State statutory changes to the Education Law. The Department will continue to engage with the U.S. Department of Education regarding implementation of McKinney-Vento; work with NYS-TEACHS to provide additional professional development sessions for LEAs on implementation of McKinney-Vento; continue discussions with Senate, Assembly, and Executive staff regarding amendments to Education Law § 3209; and develop regulations for consideration by the Board of Regents based on the above interactions.

Regulations relating to Eligibility for Participation in Interscholastic Sports and Duration of Competition [P-12 (D) 3] – the Committee discussed proposed changes to regulations to clarify the conditions under which K-8 public school districts may employ the Athletic Placement Process (APP) protocol to allow the opportunity for exceptional student athletes to participate in interscholastic sports at the high school(s) with which the K-8 school district contracts for the education of its high school students, when such students are bona fide students of the K-8 school district. However, in an effort to avoid recruitment or other efforts to entice middle-school students to play for a specific high school, the regulation provides for a year of ineligibility if, following participation on a high school team pursuant to APP, the student chooses to attend a different high school with which the K-8 district contracts for the 9th grade year. It is anticipated that these regulations will be brought back to the Board of Regents for final adoption in early 2017.

2017-2018 State Budget and Legislative Initiatives [P-12 (D) 4 and 5] – the Committee discussed State budget proposals to be advanced during the 2017-2018 budget cycle and draft legislative initiatives to be advanced during the 2017 legislative session. Also discussed were the P-12 Committee's top 10 Policy Priorities. Committee members are invited to share their thoughts with staff prior to the November meeting as more detailed proposals are developed for Regents approval.

CONSENT AGENDA

The Board of Regents will take action on the following consent agenda items at their October 18, 2016 meeting.

- Regulations relating to the Social Studies Regents Examination Requirements for a Diploma.
- Registration of a nonpublic school - Victory Christian Academy.
- Regulations relating to Community School Grants and the Definition of Community Schools.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on October 18, 2016. All Committee members were present except for Regent Josephine Victoria Finn and Regent Elizabeth S. Hakanson, who were excused. Regent Kathleen M. Cashin was 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. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 51 consent order applications and 12 surrender applications be granted. [PPC EXS (A) 1-3]

In the case of James Williams, Registered Professional Nurse, Calendar No. 28329, we recommend that, effective on the effective date of the Vote and Order in this matter dated September 13, 2016, said Original Vote and Order in this matter be ratified in all respects, except that the Calendar Number for this matter shown in the Application For Consent Order signed by respondent on March 29, 2016 and granted by the Board of Regents on September 13, 2016 be deemed corrected as follows: the Calendar Number "28329" be deemed substituted in lieu of the Calendar Number "28239" wherever such Calendar Number is stated; and that the determination rendered on September 13, 2016 shall otherwise remain in full force and effect.

These recommendations are made following the review of 67 cases involving eighteen registered professional nurses, eight professional engineers, seven licensed practical nurses, seven pharmacists, five architects, four dentists, three licensed practical nurses who are also registered professional nurses, two licensed master social workers, two podiatrists, one chiropractor, one clinical laboratory technician, one dental professional corporation, one land surveyor, one massage therapist, one occupational therapy assistant, one physical therapist, and one veterinarian.

RESTORATIONS

Your Committee recommends the following:

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

APPROVALS

Regulations: Occupational Therapists and Occupational Therapy Assistants Education Requirements – Your Committee recommends the following: That section 76.1 and subdivision (b) of section 76.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective November 18, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to conform the Regulations of the Commissioner of Education to timely implement the requirements of Chapter 124 of the Laws of 2016, which amends the education requirements for licensure as an occupational therapist and occupational therapy assistant. [PPC (A) 1]

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 18, 2016,

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

Legislative and Budget Items – The Committee discussed a potential 2017 legislative initiative and a potential 2017-18 State Budget initiative relating to the operations of the Office of the Professions.

MOVED, that the Committees Reports be approved.

Motion by: Regent Roger Tilles
Seconded by: Regent Lester W. Young, Jr.
Action: Motion carried unanimously.

State Education Department September 2016 Fiscal Report BR (A) 3

MOVED, that the Board accepts the September 2016 State Education Department Fiscal Report as presented.

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

Acceptance of a Stipend from the National Association of State Boards of Education (NASBE) BR (A) 5

MOVED, that the Board of Regents accept this stipend from the National Association of State Boards of Education (NASBE).

Motion by: Regent Roger Tilles
Seconded by: Regent Lester W. Young, Jr.
Action: Motion carried unanimously.

Chancellor Betty A. Rosa adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
American Italian Heritage Association and Museum	CE	Albany (Albany)	Grant an absolute charter.
Bronx Children's Museum	CE	Bronx (Bronx)	Extend provisional charter for five years in lieu of granting an absolute charter.
Chemung Valley Farmers Museum	CE	Chemung (Elmira)	Amend charter to change the corporate address and grant an absolute charter.
Echoes Through Time Learning Center & Civil War Museum	CE	Erie (Springville)	Grant provisional charter for five years.
Grenell Island Historical Association	CE	Jefferson (Clayton)	Grant provisional charter for five years.
Lackawanna Historical Association	CE	Erie (Lackawanna)	Extend charter for five years.
National Lighthouse Museum	CE	Richmond (Staten Island)	Grant an absolute charter.
New York Shakespeare Festival	CE	New York (Manhattan)	Amend charter to increase trustee range to be fifty.
Ripley Public Library	CE	Chautauqua (Ripley)	Grant provisional charter for five years.
Stillwater Public Library	CE	Saratoga (Stillwater)	Grant provisional charter for five years.
Vestal Public Library	CE	Broome (Vestal)	Grant provisional charter for five years.
Westhampton Free Library	CE	Suffolk (Westhampton)	Amend charter to specify the trustee term length to be three years.
Nativity Preparatory Academy of Rochester	P12	Monroe (Rochester)	Grant an absolute charter.
Northern Lights School	P12	Essex (Saranac Lake)	Amend charter to authorize the corporation to offer a summer program, after-school enrichment programs, a Gap Camp, and to collaborate with the public school district to offer a universal Pre-K program and to extend the charter for three years.
Northside Catholic Academy	P12	Kings (Brooklyn)	Amend charter to change the corporate name to "The Mount Carmel Early Childhood Center".

Stella Maris Regional School of the Diocese of Rockville Centre	P12	Suffolk (Sag Harbor)	Dissolve charter, approval to store student records with St. Andrew's Roman Catholic Church, 122 Division Street, Sag Harbor, NY 11963 and approval to distribute remaining assets to the five parishes comprising the sponsors of the school.
The Whole Child Academy	P12	Suffolk (Melville)	Grant provisional charter for three years.
Fei Tian College	HE	Orange (Cuddebackville)	Amend charter to add authority to confer the Master of Music (Mus.M.) and Master of Fine Arts (M.F.A.) degrees.
New York Institute of Technology	HE	New York (Manhattan)	Amend charter to add authority to confer the Master of Arts in Teaching (M.A.T.) degree.
Yeshiva University	HE	New York (Manhattan)	Amend charter to add authority to confer the Associate in Science (A.S.) degree.

Appendix II

REGENTS ACTIONS IN 67 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

October 17 - 18, 2016

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 11 licenses and 1 authorization, and 54 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. REVOCATION AND SURRENDERS

Architecture

Robert Dunlop Harris; East Aurora, NY 14052-9545; Lic. No. 009885; Cal. No. 29028; Application to surrender license granted. Summary: Licensee did not contest the charge of willfully failing to re-register.

Wynn Loring Warner; Acworth, GA 30101; Lic. No. 022028; Cal. No. 29179; Application to surrender license granted. Summary: Licensee admitted to the charge of practicing the profession of architecture in the States of Louisiana and Tennessee without a license.

Dentistry

Robert Lee Scott; Dentist; San Diego, CA 92102; Lic. No. 035583; Cal. No. 29205; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to perform a detailed periodontal evaluation and diagnostic testing; failing to adequately perform restorative procedures; and failing to completely remove caries, all with respect to one patient; and falsify financial records and failing to obtain informed consent form another patient.

Nursing

Denise Elizabeth Parr a/k/a Denise Elizabeth Mallon; Licensed Practical Nurse; Long Beach, NY 11561; Lic. No. 221937; Cal. No. 28120; Found guilty of violation of probation; Penalty: Revocation.

Robin Lee Mangel; Licensed Practical Nurse; Lockport, NY 14094; Lic. No. 081984; Cal. No. 29102; Application to surrender license granted. Summary: Licensee admitted to the charge of patient abuse.

Verna Sherman Davis a/k/a Verna S. Age; Registered Professional Nurse; Aliceville, AL 35442; Lic. No. 410438; Cal. No. 29116; Application to surrender license granted.

Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Health Care Fraud; and Conspiracy to Defraud the United States and to Receive and Pay Health Care Kickbacks, both felonies.

Michele Jeanne McKee a/k/a Michele Romano; Registered Professional Nurse; Hampton Bays, NY 11946; Lic. No. 515874; Cal. No. 29153; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Mischief in the 4th Degree, a class A misdemeanor; Grand Larceny in the 4th Degree, a class E felony; Grand Larceny in the 3rd Degree, a class D felony; and, Possession of a Forged Instrument in the 2nd Degree, a class D felony.

Occupational Therapy

Christopher A. Syrewicz; Occupational Therapy Assistant; Southold, NY 11971; Auth. No. 000770; Cal. No. 29086; Application to surrender authorization granted. Summary: Licensee admitted to the charge of having been convicted of Driving While intoxicated, an unclassified misdemeanor.

Pharmacy

Maurice I. Malin; Pharmacist; Tappan, NY 10983-1001; Lic. No. 021473; Cal. No. 28983; Application to surrender license granted. Summary: Licensee did not contest charges of filling mail order prescriptions from a third party and not directly from the prescriber; placing back in stock prescription medications returned by patients; failing to label pre-packed vials and failing to supervise the prepacking as well as maintaining a pre-pack log including manufacturer, lot number and expiration; failing to exercise professional judgement in the filling of electronic prescriptions; and, permitting more than two unlicensed persons to assist in the dispensing of medications.

Andrew Louis Barrett; Pharmacist; New City, NY 10956; Lic. No. 033949; Cal. No. 29129; Application to surrender license granted. Summary: Licensee admitted to the charge of willfully filing a false form.

Nasreen Dharsee-Dungersi; Pharmacist; West Hempstead, NY 11552; Lic. No. 054109; Cal. No. 29130; 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 felony.

Vladimir Kleyman; Pharmacist; Otisville, NY 10963; Lic. No. 046393; Cal. No. 29140; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Bribery and Health Care Fraud, a felony.

Podiatry

Amira Mantoura; Old Greenwich, CT 06970-1907; Lic. No. 004117; Cal. No. 29196; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Making a False Statement Relating to a Health Care Fraud Matter, a felony, in violation of 18 United States Code, Section 1035(a)(2).

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Charles Amadi Isiofia; Elizabeth, NJ 07202; Lic. No. 029036; Cal. No. 28835; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Nestor Popowych; Chicago, IL 60611; Lic. No. 026950; Cal. No. 28861; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, \$500 fine payable within 30 days.

Daniel Jacques Gerdes; Brooklyn, NY 11233; Lic. No. 022175; Cal. No. 28890; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$2,500 fine.

Chiropractic

Michael Nabil Rouhana; Johnson City, NY 13790; Lic. No. 011245; Cal. No. 28971; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$3,000 fine.

Clinical Laboratory Technology

Syed M. Hashmi; Clinical Laboratory Technician; Bethpage, NY 11714-3602; Cert. No. 002496; Cal. No. 28872; Application for consent order granted; Penalty agreed upon: 24 month stayed suspension, 24 months probation, \$1,000 fine.

Dentistry

Igor Klebanov; Dentist; Brooklyn, NY 11214; Lic. No. 045540; Cal. No. 27811; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation, \$7,500 fine.

IK Dental, P.C.; 4405 Broadway, New York, NY 10040; Cal. No. 27812; Application for consent order granted; Penalty agreed upon: \$3,000 fine, 1 year probation.

Flora Mounessa; Dentist; Hollis, NY 11423; Lic. No. 049216; Cal. No. 28211; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 12 months probation.

Timothy Jay O'Keefe; Dentist; Lewiston, NY 14092; Lic. No. 045544; Cal. No. 28801; Application for consent order granted; Penalty agreed upon: 1 year actual suspension, upon termination of suspension, 2 years probation to commence upon return to practice, \$1,000 fine payable within 6 months.

Engineering and Land Surveying

Easa Moulana; Professional Engineer; Roslyn, NY 11576; Lic. No. 063192; Cal. No. 27554; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jashmin A. Patel; Professional Engineer; Iselin, NJ 08830; Lic. No. 092740; Cal. No. 28072; Application for consent order granted; Penalty agreed upon: Annulment of professional engineer license in the State of New York.

Michael Paul Waters; Land Surveyor; Rome, NY 13440; Lic. No. 050027; Cal. No. 28822; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Hakime Altine; Professional Engineer; Cambria Heights, NY 11411; Lic. No. 052143; Cal. No. 28824; Application for consent order granted; Penalty agreed upon: 5 year suspension with leave to apply for early termination after service of at least 1 year thereof and upon submission of certain proof, upon termination of suspension, 3 years probation to commence if and when return to practice, \$2,500 fine payable within 90 days.

Jesse Pekkala; Professional Engineer; Telluride, CO 81435; Lic. No. 084416; Cal. No. 28956; 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, \$500 fine.

Joseph Michael Fusillo a/k/a Joseph M. Fusillo; Professional Engineer; Mineola, NY 11501-0109; Lic. No. 091213; Cal. No. 29027; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Roy Alexander Hunt; Professional Engineer; Sacramento, CA 95827; Lic. No. 075354; Cal. No. 29047; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$2,500 fine payable within 30 days.

Ghanshyam C. Patel; Professional Engineer; Marlboro, NJ 07746; Lic. No. 048329; Cal. No. 29054; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

James R. Skowronski; Professional Engineer; Lodi, WI 53555; Lic. No. 084845; Cal. No. 29120; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Massage Therapy

Marian Kraeling; Bethpage, NY 11714; Lic. No. 010196; Cal. No. 28212; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Nursing

Nancy A. Roth; Registered Professional Nurse; Carthage, NY 13619; Lic. No. 409315; Cal. No. 27547; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation.

Michelle Purville; Registered Professional Nurse; Bronx, NY 10469; Lic. No. 633354; Cal. No. 27550; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Linda J. Destefano; Registered Professional Nurse; Utica, NY 13501; Lic. No. 470985; Cal. No. 27666; 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.

Victoria L. Fogal; Registered Professional Nurse; New Rochelle, NY 10805-1928; Lic. No. 635953; Cal. No. 28098; Found guilty of professional misconduct; Penalty: Censure and Reprimand, probation 1 year.

Heidi Ann Marolf; Licensed Practical Nurse; Castorland, NY 13620; Lic. No. 275371; Cal. No. 28239; Found guilty of professional misconduct; Penalty: \$500 fine, 2 month suspension, probation 2 years to commence concurrently with suspension.

Joseph Isaiah Akpabio a/k/a Joseph I. Akpabio a/k/a Joseph Akpabio; Registered Professional Nurse; Bronx, NY 10467, Bronx, NY 10455; Lic. No. 433275; Cal. No. 28352; Found guilty of professional misconduct; Penalty: Censure and Reprimand.

Brian P. Wasielewski; Registered Professional Nurse; Bronx, NY 10470; Lic. No. 589150; Cal. No. 28407; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Julia Turner; Registered Professional Nurse; Barneveld, NY 13304; Lic. No. 655510; Cal. No. 28572; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 6 months and until mentally and physically fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Cheryl Lynne Kiss; Registered Professional Nurse; Poughkeepsie, NY 12601; Lic. No. 507284; Cal. No. 28726; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 24 months probation.

Victoria C. E. Crawley; Registered Professional Nurse; Oswego, NY 13126; Lic. No. 613456; Cal. No. 28833; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Starr Iola Nelson; Registered Professional Nurse; Shelburne, Nova Scotia, B0T1W0, Canada; Lic. No. 601552; Cal. No. 28858; 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, 3 years probation to commence if and when return to practice in the State of New York.

Janie Herring Long a/k/a Jane Long; Licensed Practical Nurse, Registered Professional Nurse; Henrico, VA 23228; Lic. Nos. 108358, 287886; Cal. Nos. 28865, 28863; 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 in the State of New York.

Alexandra Melissa Rigos; Registered Professional Nurse; Deer Park, NY 11729; Lic. No. 660524; Cal. No. 28878; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Kelly J. Baker; Licensed Practical Nurse; Cortland, NY 13045; Lic. No. 279078; Cal. No. 28883; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 probation, \$250 fine.

Catherine Clesi; Registered Professional Nurse; Levittown, NY 11756-1528; Lic. No. 612232; Cal. No. 28917; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lunie Pierre a/k/a Lunie Germain; Licensed Practical Nurse; Brooklyn, NY 11210; Lic. No. 201671; Cal. No. 28927; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Gregory John Pearl; Registered Professional Nurse; Burt, NY 14028; Lic. No. 628854; Cal. No. 28934; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Jason David Dillon; Registered Professional Nurse; Seattle, WA 98122; Lic. No. 647483; Cal. No. 28952; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Patricia Ann Irby; Licensed Practical Nurse, Registered Professional Nurse; Mobile, AL 36605; Lic. Nos. 264825, 552940; Cal. Nos. 28958, 28957; 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, \$500 fine.

Shelby L. Genest; Registered Professional Nurse; Fort Edward, NY 12828; Lic. No. 507229; Cal. No. 28968; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Dawn Marie Kelly a/k/a Dawn M. Kelly; Licensed Practical Nurse; Monroe, NY 10950; Lic. No. 199097; Cal. No. 28989; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 24 months probation, \$1,000 fine.

Laura Grace Belanger; Registered Professional Nurse; Center Moriches, NY 11934-2041; Lic. No. 619720; Cal. No. 29015; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Melissa Anne Marie Caruso; Licensed Practical Nurse, Registered Professional Nurse; Wilton, CT 06897; Lic. Nos. 201102, 415177; Cal. Nos. 29045, 29046; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine.

Annette Blair; Licensed Practical Nurse; North Little Rock, AR 72116; Lic. No. 187786; Cal. No. 29125; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York.

Pharmacy

Lucille Mary Leone a/k/a Lucille M. Leone-Walker; Pharmacist; Manalapan, NJ 07726; Lic. No. 042710; Cal. No. 28798; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 1 year and until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice in the State of New York, \$1,000 fine payable within 30 days.

Maged Ibrahim Shalaby; Pharmacist; Lynn Haven, FL 32444; Lic. No. 047484; Cal. No. 28856; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$500 fine payable within 30 days.

Mark Wendell Barashick; Pharmacist; Wellington, FL 33414; Lic. No. 039118; Cal. No. 29124; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Physical Therapy

Mahmoud Ali; Physical Therapist; Staten Island, NY 10305; Lic. No. 022872; Cal. No. 28806; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Podiatry

Elenora Aimee Williams; Mendham, NJ 07945; Lic. No. 005297; Cal. No. 29167; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation to commence upon return to practice in the State of New York, \$1,500 fine payable within 90 days.

Social Work

Kevin Cole Costin; Licensed Master Social Worker; Brooklyn, NY 11231; Lic. No. 060697; Cal. No. 28759; 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.

Craig Devon Bethea; Licensed Master Social Worker; St. Albans, NY 11412-2415; Lic. No. 087941; Cal. No. 29034; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Veterinary Medicine

William Donald Farmer; Veterinarian; Brooklyn, NY 11238; Lic. No. 009858; Cal. No. 28496; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$1,000 fine.

III. RESTORATION

The Board of Regents voted on October 18, 2016 to deny the application for restoration of the physician license of Richard Yaldizian, Secaucus, NJ. Dr. Yaldizian's license was originally revoked effective May 23, 2008.

ATTACHMENT I



engage^{ny}

Our Students. Their Moment.

Every Student Succeeds Act (ESSA) State Plan Development Activities

**Presented to the Members of the Board of Regents
October 17, 2016**

Overview of Development of State ESSA Plan: A multi-pronged approach

- Professional Development of Staff
- Committee of Practitioners
- ESSA Think Tank
- Regional State Plan Development Meetings
- Informal and Formal Public Comment
- Board of Regents Discussions and Actions



Work Thus Far

- ✓ Engaged in extensive professional development to understand the law and the opportunities it provides, including, but not limited to meetings with:
 - United States Department of Education (USDE)
 - Brustein & Manasevit – a law firm recognized for its federal education regulatory and legislative practice
 - Council of Chief State School Officers (CCSSO), which has provided access to many national experts including:
 - Linda Darling Hammond, Learning Policy Institute
 - Brian Gong, Center for Assessment
 - Kenji Hakuta, Stanford University
 - Delia Pompa, Migration Policy Institute
 - Gene Wilhoit, National Center for Innovation in Education
 - Susie Saavedra, National Urban League

Work Thus Far

- ✓ Met approximately ten times with Title I Committee of Practitioners to discuss ESSA.
- ✓ Established an ESSA Think Tank with representatives from over 100 organizations. The Think Tank has met at least monthly since June.
 - Work Groups have met twice a month: Supporting All Students, Supporting English Language Learners, Supporting Excellent Educators, Challenging Academic Standards and Assessments, Accountability Methodologies and Measurements, and Supports and Improvement for Schools



Work Thus Far

- ✓ Developed draft Characteristics of Highly Effective Schools and Guiding Principles for development of the ESSA state plan.
 - Surveyed Think Tank, Committee of Practitioners and the field for feedback on these documents.
- ✓ Drafted High Concept Ideas, which will be presented at Regional State Plan Development Meetings.
 - Participant feedback on the High Concept Ideas will be gathered through meeting discussion and a survey.
- ✓ Provided USDE with comments on draft ESSA rulemaking on state plan requirements and assessments. Plan to comment on supplement not supplant regulations in November.

Development of Characteristics of Highly Effective Schools and Guiding Principles

- Since June, the Department has worked with the ESSA Think Tank to answer several essential questions related to development of the state's ESSA plan.
- To guide the work, the Department drafted the Characteristics of Highly Effective Schools and a set of Guiding Principles for development of the state plan.
- These documents are posted on the Department's public ESSA website at: <http://www.p12.nysed.gov/accountability/essa.html>



Development of Characteristics of Highly Effective Schools and Guiding Principles

- The Think Tank and the Committee of Practitioners were requested to provide feedback on the draft Characteristics of Highly Effective Schools and Guiding Principles.
- Both groups provided valuable feedback that lead to thoughtful revisions of the Characteristics of Highly Effective Schools and the Guiding Principles.
- When the Characteristics and Guiding Principles were posted for public comment, over 600 persons responded.



Development of High Concept Ideas

- The Department has drafted a list of High Concept Ideas in response to the essential questions and guided by the discussions within the Think Tank.
- The Department presented the draft High Concept Ideas to the Think Tank at the October 7 in-person meeting.
 - Think Tank feedback was requested during the meeting, as well as through a survey.
 - The draft High Concept Ideas were generally supported by the Think Tank. Each concept received at least a majority of support from survey respondents.
 - The Department made minor revisions to the High Concept Ideas based on Think Tank feedback.



Development of High Concept Ideas

- The Department will request feedback on these high concept ideas from the Committee of Practitioners, the Think Tank, and at Regional State Plan Development Meetings held across the state before submitting them to the Board of Regents for approval.
- The High Concept Ideas, and one page documents describing the rationale and research for each High Concept Idea, can be found at <http://www.p12.nysed.gov/accountability/essa.html>.



Sample High Concept Idea

High Concept Idea #11:

To ensure that schools support students until they graduate, we will use 4-, 5-, and 6- year graduation rates to determine how well schools are doing in getting students to graduate.



High Concept Ideas: Rationale and Research

Relevant Requirements of ESSA law and/or draft rulemaking:

- States must for all high schools in the State measure the four-year adjusted cohort graduation rate, and, at the State's discretion, the extended-year adjusted cohort graduation rate and include the performance of schools on this measure in the State's system of differentiated accountability.

Rationale for High Concept Idea:

- By including results from the five and six year graduation cohorts, the state accountability system provides incentives for schools to work with students until they earn a high school diploma. While the six year graduation rate is only slightly higher statewide than the five year rate, there are for certain groups of students and schools some significant differences in these rates.

Research:

- American Youth Policy Forum. (2012). *Making Every Diploma Count: Using Extended-Year Graduation Rates to Measure Student Success*.
http://www.aypf.org/wp-content/uploads/2011/04/Making-Every-Diploma-Count_updated-Feb-2012.pdf

Sample High Concept Idea

High Concept Idea #13:

To ensure that schools maximize opportunities for students, we will create a high school “Success Index” that gives partial credit for students who successfully complete the Test Assessing Secondary Completion (TASC) through Alternative High School Equivalency Program and programs at the school, BOCES, or night school; and extra credit for students who earn a Regents diploma with advanced designation, CTE endorsements, or a Seal of Biliteracy.



High Concept Ideas: Rationale and Research

Relevant Requirements of ESSA law and/or draft rulemaking:

- For purposes of computing the high school graduation rate, states may include students who graduate with a “regular high school diploma,” which is defined the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, and does not include a general equivalency diploma, certificate of completion, certificate of attendance, or any similar or lesser credential, such as a diploma based on meeting individualized education program (IEP) goals that are not fully aligned with the State’s grade-level academic content standards.

Rationale for High Concept Idea:

- The High School Success Index would reward schools that are able to ensure that if students do not complete high school with a regular diploma they work to earn another credential, and if students do complete high school, they earn the most rigorous diploma that they can.

Research:

- Martin, C., Sargrad, S., & Batel, S. (2016). *Making the Grade: A 50-State Analysis of School Accountability Systems*.
<https://www.americanprogress.org/issues/education/report/2016/05/19/137444/making-the-grade/>

Regional ESSA State Plan Development Meetings

The purpose of the Regional ESSA State Plan Development Meetings is to engage stakeholders in a discussion of ESSA and the draft High Concept Ideas.



The Department has:

- Provided District Superintendents and the Big 5 with “ESSA Meeting in a Box” materials for Regional meetings;
- Posted ESSA Requirement & Informational Webinars to the ESSA website for review by Regional Meeting invited guests;
- Hosted two webinars for Regional Facilitators to prepare for the meetings; and,
- Provided District Superintendents and Big 5 with High Level Concepts PowerPoint and Survey for use during October Regional Meetings.

Regional ESSA State Plan Development Meetings

- Regional ESSA State Plan Development Meetings will be held across the state in the last two weeks of October and in early November.
- Each Regional Meeting Facilitator (District Superintendents and Big 5) determines who to invite based on Department guidance.
- Regional Meeting Facilitators will provide a summary of the feedback received on the high level concepts.
- Each participant will also be asked to complete a survey.



ESSA State Plan Development Timeline Choices

- ✓ Two potential dates for states to submit their ESSA state applications: **March 6, 2017 or July 5, 2017.**
- ✓ The Department has previously recommended to the Board that it approve the state plan for submission in March 2017.
- ✓ March 2016 –
 - ✓ Allows Department to work with USDE during the summer to gain plan approval.
 - ✓ Allows school districts to have as much time as possible to prepare for implementation of the new ESSA provisions.
 - ✓ Early submitting states sometimes are allowed more flexibility in their plans.
 - ✓ But, timeline for completing plan is very challenging.
- ✓ July 2016 –
 - ✓ Ensures that the State is thorough in the engagement of stakeholders and drafting of the plan.
 - ✓ Department may be able to learn lessons from plans approved in March submission.
 - ✓ But, could delay distribution and/or funding approval and creates uncertainty about the rules for the 2017-18 school year.

Next Steps

The Department will:

- Present “high concept” ideas for consideration by stakeholders.
- Hold invitational regional meetings on “high concept” ideas.
- Use feedback from Regional Meetings to refine the “high level concepts” to include in the state plan.
- Seek permission from the Board of Regents to release the draft plan for formal public comment based on the high concept ideas.
- Conduct public meetings in order to gain feedback on the draft ESSA Plan.
- Give the Governor an opportunity to comment on the ESSA Plan, as required by ESSA.
- Submit the ESSA Plan to USDE after approval by the Board of Regents in either March or July.

