



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 November 2016 Meeting

DATE: December 1, 2016

AUTHORIZATION(S): *Mary Ellen Eia*

Executive Summary

Issue for Decision

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

Proposed Handling

Approval of the Summary of November 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 November 2016 meeting.

Timetable for Implementation

Effective December 13, 2016.

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



SUMMARY OF THE NOVEMBER 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

November 14 and 15, 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, November 14, 2016 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, November 14th at 9:00 a.m.

Board Members in Attendance:

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

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. Regent James R. Tallon, Jr. was absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 9:00 a.m. and provided thoughts for a moment of reflection.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session today, Monday, November 14 at 3:30 PM. to discuss personnel matters.

Motion by: Vice Chancellor T. Andrew Brown
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously

PRESENTATION

Every Student Succeeds Act (ESSA) – Part 1

Commissioner Elia presented an update to the Board of Regents regarding the Every Student Succeeds Act (ESSA) (Attachments I and II.)

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 Monday, November 14, 2016 at 3:45 p.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, November 14th at 3:35 pm

Board Members in Attendance:

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

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. Regent James R. Tallon, Jr. was absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 3:45 p.m.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, November 15 at 8:45 a.m. to discuss personnel matters.

Motion by: Chancellor Betty A. Rosa
Seconded by: Regent Lester W. Young, Jr.
Action: Motion carried unanimously

PRESENTATION

Every Student Succeeds Act (ESSA) – Part 2

Michael Cohen, President, Achieve and Linda Darling-Hammond, President, Learning Policy Institute and Charles E. Ducommun Professor of Education Emeritus at Stanford University presented an update to the Board of Regents regarding the Every Student Succeeds Act (ESSA) (Attachments III and IV.)

Chancellor Rosa adjourned the meeting.

The Board of Regents of The University of the State of New York held a public session on Tuesday, November 15, 2016 at 11:45 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Tuesday, November 15th at 11:45 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 Norwood
Kathleen M. Cashin
James E. Cottrell
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Judith Johnson
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes

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.

Chancellor Betty A. Rosa called the meeting to order at 11:45 a.m. Regent Luis O. Reyes provided thoughts for a moment of reflection.

Chancellor Rosa provided the following statement at the start of the meeting:

I'd like to make a statement on behalf of the Board, the Department, and our State. We have been engaged for now for some time on the issue of looking at our students and the needs of our students. In that light, we have been engaged in many conversations. I know that both the Commissioner and members of this Board have talked about listening and being able to bring forth many competing at times concerns and issues.

Yesterday was particularly interesting in that we have acknowledged the uncertainty that we face as we move forth and we know that at the state we will continue to move forward with all our compassion, passion, and energy.

As we look at this issue as we did yesterday in terms of our assessments, we have had several conversations, some of them off-line and some of them on-line, in terms of this year. It is November and most of you know, we had to really look at many considerations, including we had conversations, as I shared yesterday, with our technical advisory committee, our TAC Committee. Hearing the many voices, we decided that for this year we would definitely and I want to state it again so there's no misunderstanding, that for this year we would continue with three full six-day testing as we did last year.

Our commissioner and this Board are absolutely open to continuing that discussion into the following year and thereby continuing the input of our TAC, the input of our constituents, the input of our great State and the members both parents, teachers and others that have a vested interest in the welfare of our children.

So, with that I'd like to continue the conversation, as Linda Darling-Hammond and Michael Cohen yesterday engaged us in a very thought-provoking conversation. We hope that all of us collectively can come together and keeping in mind not the interest of sometimes our organizations or our personal interests or sometimes interests that do not necessarily connect to the welfare of our children but at the end of the day we often ask the question, "what does this have to do with Children?"

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 October 2016 Meeting of the Board of Regents BR (A) 2

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

Motion by: Regent Kathleen M. Cashin
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

Higher Education

**Saint Joseph's Seminary and College: Master Plan Amendment to Establish a Branch Campus and Offer a Master of Arts (M.A.) Degree Program in Theology
BR (CA) 1**

MOVED, that That the Board of Regents approve a master plan amendment to authorize Saint Joseph’s Seminary and College to establish a branch campus in Poughkeepsie, NY, and to offer its first program at that location, a Master of Arts (M.A.) in Theology. The amendment will be effective until November 15, 2017, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**The State University of New York Monroe Community College, Damon City campus – Master Plan Amendment for Associate in Applied Science (A.A.S.) degree program in Child Care Practitioner
BR (CA) 2**

MOVED, that the Board of Regents approve an amendment to the State University of New York master plan authorizing Monroe Community College to offer its first program in the Education discipline, an Associate in Applied Science (A.A.S.) degree in Child Care Practitioner, at the Damon City campus. The amendment will be effective until November 15, 2017, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Permanent Authority to Confer Degrees: The Institute of Art-New York LLC (“doing business as” (dba) Sotheby’s Institute of Art-New York)
BR (CA) 3**

MOVED, that the Board of Regents grant the Institute of Art-New York, LLC, (dba Sotheby’s Institute of Art-New York), permanent authority to confer degrees.

P-12 Education

**Proposed Amendment of Section 100.6 of the Commissioner’s Regulations Relating to the Establishment of Criteria for the Approval of Work-Readiness Assessments for Earning the New York State Career Development and Occupational Studies Commencement Credential
BR (CA) 4**

MOVED, that paragraph (4) of subdivision (b) of section 100.6 of the Regulations of the Commissioner be amended as submitted, effective December 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 provide sufficient time for the Commissioner to approve work-readiness assessments for students to earn a NYS CDOS Commencement Credential on or after April 3, 2017 and to ensure that the emergency rule adopted at the September 2016 Regents meeting remains in effect until it can be adopted as a permanent rule.

**Petition of the City School District of the City of Olean for Consent to Exceed the Constitutional Debt Limit
BR (CA) 7**

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 City School District of the City of Olean for a total in an amount not to exceed \$12,150,000, with \$900,000 to be expended from the existing building capital reserve fund and \$4,000,000, for a total request of \$15,250,000 to be used for certain capital improvements consisting of addition to and reconstruction of school buildings and facilities for and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

**Petition of the City School District of the City of Gloversville for Consent to Exceed the Constitutional Debt Limit
BR (CA) 8**

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 City School District of the City of Gloversville in an amount not to exceed \$37,800,000 for the construction of additions to and reconstruction of various district buildings, construction and reconstruction of athletic fields and facilities, site work, and the acquisition of original furnishings, equipment, machinery or apparatus thereon and therein and required for the purpose for which such buildings and facilities are to be used and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

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) 5**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 6**

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

STANDING COMMITTEE REPORTS

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on November 14, 2016. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

Regents 2017-2018 State Budget Priorities – Your committee recommends that the Board of Regents approve budget priorities for Bridge to College and Careers Pilot Program and Independent Living Services. The Bridge Program is requesting \$10 million in new state funding to continue the program. Independent Living Services is requesting a \$5 million increase in state funding to support the expansion of independent living services and supports to maximize opportunities for individuals with disabilities to live and work in their community.

2017 State Legislative Priorities – Your committee recommends that the Board of Regents approve the legislative proposal for the 2017 session on the Reader's Aid Program. 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.

AUDITS/BUDGET AND FINANCE

Your Committee on Audits/Budget and Finance had its scheduled meeting on November 14, 2016. Regent Josephine Finn, Chair of the Audits/Budget and Finance Committee, submitted the following written report. In attendance were committee members: Regent Finn, Char, Regent Tilles, Regent Young, Regent Collins, Regent Mead and Regent Hakanson.

Regents, in addition to Audits/Budget Committee Members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regents Cashin, Cea, Cottrell, and Ouderkirk, as well as Commissioner Elia and Executive Deputy Commissioner Berlin.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Finn welcomed everyone and congratulated Donald Juron on his 34 ½ years of dedicated service. She introduced Don Juron, Chief Financial Officer, to present the October 2016 Fiscal Report and Sharon Cates-Williams, Deputy Commissioner, to present the Board of Regents Oversight of Financial Accountability Report and Overview of the SED Office of Audit Services.

2016 Fiscal Report

Our Chief Financial Officer provided the Members with the October fiscal report that reflects actual expenditures through October 31, 2016 and projected expenditures through the lapse period ending June 30, 2017. Extensive spending controls continue for all funds. General Fund spending plans reflect the amounts appropriated in the 2016-17 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 remain at a negative \$3.6 million. Federal Funds reflect current year plans for two year grant awards.

Completed Audits

The Department's Internal Audit Workgroup reviewed fifty-four audits that are being presented to the Committee this month. All fifty-four were issued by the Office of the State Comptroller (OSC). Thirty-nine audits were of school districts, seven BOCES, two of the State Education Department, one of the State Education Department and the Department of Health, one college, two charter schools, and two providers of special education services.

The findings were in the areas of budget and financial reporting, capital construction, cash, claims processing, employee and contractor finger printing, information technology, non-resident student tuition, payroll/leave accruals, procurement, Reimbursable Cost Manual compliance, reserve funds, school fire and safety, school lunch program, segregation of duties, student immunizations, and Tuition Assistance Program (TAP).

Deputy Commissioner, Sharon Cates-Williams, gave a brief overview of the State Education Department – Oversight of School Fire Safety Compliance

- Auditors visited 25 schools and found many did not complete the required number of fire drills; they also found that emergency evacuation plans at six schools did not include procedures to address evacuation of students who have disabilities or special needs.
- Almost 50 percent of the total number of private schools did not submit required inspection reports for the 2015-16 school year.
- The Department's electronic reporting system has not been verified for accuracy and lacks reporting capabilities to monitor school compliance.

The report's recommendations focused primarily on SED officials developing a risk-based approach for verifying, by site visit or other means, whether information provided in fire inspection report is accurate and schools are complying with fire safety requirements.

SED officials agreed with the report's recommendations and have indicated that they planned corrective action.

In addition, Deputy Commissioner, Sharon Cates-Williams, presented the SED Office of Audit Services Overview. The presentation covered the Office's responsibilities and other areas such as, the differences between auditing and monitoring, the types of internal and external audits done by the Office, and the purpose of audit summaries.

CULTURAL EDUCATION

Your Committee on Cultural Education Committee had its scheduled meeting on November 14, 2016. The meeting was delayed and began at 1:10pm. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Chair, Regent Chin, Regent Cea, Regent Ouderkirk, Regent Cottrell and Regent Johnson

Regents In addition to CE Committee Members, in attendance were: Vice Chancellor Brown, Regents Norwood, Cashin, Collins, Mead, Hakanson, and Reyes as well as Commissioner Elia and Executive Deputy Commissioner Berlin.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and informed the committee that this would be an abbreviated meeting. The presentations on the Statewide Summer Reading Program and the Museum Accreditation would be postponed until a future meeting. Regent Tilles introduced State Librarian Bernard Margolis who led the discussion.

Appointments to the Advisory Council on Libraries - CE (A) 2

Mr. Margolis requested that the Board review and consider appointments to the Advisory Council on Libraries as provided in 8 NYCRR 3.12(a)(3). The motion was to appoint Nate Hill and Charles Shatzkin the Advisory Council on Libraries for five-year terms beginning November 1, 2016 and ending September 30, 2021.

Motion made by Regent Johnson
Seconded by Regent Cea
Unanimously approved.

Executive Deputy Beth Berlin introduced two items for action. Committee members received documents with overviews of the 2017 State budget and legislative priorities. The legislative priority was the support of the Museum Education Act. Regent Tilles requested that a small typographical error be modified in the document that was distributed regarding the Museum Education Act. Both items were considered as one.

Regents 2017-2018 State Budget Priorities - CE (D) 4

2017 State Legislative Priorities - CE (D) 3

A motion to endorse the proposed legislative and budget priorities was made by Regent Ouderkirk.

Seconded by Regent Cea

Unanimously approved.

In final business, Executive Deputy Commissioner Berlin reported that the Statewide Summer Reading Program had achieved its goal of including at least 2 million school age children as participants. State Librarian Margolis reported that 2,101,952 school age children participated in the program in the summer of 2016. Commissioner Elia reminded the committee of the benefit of reading in student performance and achievement and congratulated the State Library and libraries across the state for this achievement and encouraged efforts to achieve greater participation in the program.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on November 15, 2016. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

New Federal Regulations Concerning Teacher Preparation Programs

Department staff presented information on the final federal regulations on teacher preparation which were released on October 12, 2016, and the new responsibilities given to the Department concerning collecting and reporting data and measuring quality of all state teacher preparation programs. HE (D) 2

New York State Professional Standards and Practices Board for Teaching Annual Report

Your Committee discussed a report on the activities of the New York State Professional Standards and Practices Board for Teaching. The co-chairs, Debra Calvino and Kate DaBoll-Lavoie provided a summary of the PSPB's activities in 2015-2016. HE (D) 3

Amendment of Section 80-1.6 of the Regulations of the Commissioner of Education to Automatically Extend the Time Validity of Certain Expired Provisional, Initial or Transitional Certificates for Three Years if a Candidate Meets Certain Criteria and is Unable to Complete the Requirements for the Initial, Permanent or Professional Certificate in a Timely Manner

Your Committee discussed amending Section 80-1.6 of the Commissioner's Regulations to automatically extend the time validity of certain expired provisional, initial or transitional certificates for three years if a candidate meets certain criteria and is unable to complete the requirements for the initial, permanent or professional certificate in a timely manner. It is anticipated that the proposed amendment will come before the Board of Regents for permanent adoption at its February 2017 meeting. If adopted at the February 2017 meeting, the proposed amendment will become effective on March 1, 2017. HE (D) 1

State Legislative and Budget Priorities

Your Committee discussed the initiatives to be advanced during the 2017 legislative session and the proposals to be advanced during the 2017-18 budget cycle. HE (D) 4 & 5

CONSENT AGENDA

The Board of Regents took action on the following consent agenda items at their November 15, 2016 meeting.

Saint Joseph's Seminary and College: Master plan amendment to establish a branch campus and offer a Master of Arts (M.A.) degree program in Theology. BR (CA) 1

The State University of New York Monroe Community College, Damon City campus – Master Plan Amendment for Associate in Applied Science (A.A.S.) degree program in Child Care Practitioner. BR (CA) 2

Permanent Authority to Confer Degrees: The Institute of Art-New York LLC ("doing business as" (dba) Sotheby's Institute of Art-New York) BR (CA) 3

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on November 14, 2016. All members were present, except for Regent Tallon who was excused.

ACTION ITEMS

Initial Applications and Charters Authorized by the Board of Regents [P-12 (A) 1]

Your Committee recommends that the Regents find that: (1) the proposed charter schools meet the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 application will have a significant educational

benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the Hebrew Language Academy Charter School 2, for a term of five years in accordance with §2851(2)(p) of the Education Law.

Your Committee recommends that the Regents find that: (1) the proposed charter schools meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 application will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the South Bronx Classical Charter School IV, for a term of five years in accordance with §2851(2)(p) of the Education Law.

Your Committee recommends that the Regents find that: (1) the proposed charter schools meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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 application will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the Syracuse Academy of Science and Citizenship Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law.

The motion to approve all three schools was passed. Regents Collins and Mead abstained.

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 November 15, 2016, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Update on the Regents Exam Workgroup [P-12 (D) 1] – the Committee was provided with an update on the Regents Exam Workgroup. The Workgroup has met multiple times since its creation, engaged in thoughtful discussions covering many different aspects of the Regents Exams, and drafted a set of recommendations that will be shared with the Board of Regents. The recommendations fall into five categories:

graduation requirements, college readiness, reporting of Regents Exam scores, appeals for Regents Exam results, and multiple curriculum pathways in mathematics. Jack Bierwirth, the Chair for the Workgroup, presented the recommendations and added that experts from Special Education, English language learners, and multi-language learners should be brought together to provide input into the draft package before final determinations are made.

Update on the Standards and Assessment Workgroup – the Committee was updated on the work of the Standards and Assessment Workgroup.

Based on consistent recommendations from educators throughout the state substantive changes were made to the Grades 3-8 ELA and Math tests for this last year:

- The lengths of the tests were reduced such that they contained fewer test questions.
- The tests were made untimed to provide students further opportunity to demonstrate what they know and can do by allowing them to work at their own pace.
- The department released more test questions (75%) than ever before and earlier than ever before.
- And the parent score reports are more user-friendly and useful to parents

By maintaining the current testing system it allows the Department to measure student development over time.

2017-2018 State Budget and Legislative Initiatives [P-12 (D) 2 and 3] – 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. Committee members commented positively on the addition of prior history for each item. They also requested that an increase to the District Superintendent salary cap be put back on the list and that we enhance our communication strategy when presenting our priorities to the Executive to provide a clear vision as to why they should support the Department in serving its mission to support schools.

Consent Agenda

The Board of Regents will take action on the following consent agenda items at their November 15, 2016 meeting.

- Regulations relating to the Establishment of Criteria for the Approval of Work Readiness Assessments for Earning the NYS Career Development and Occupational Studies (CDOS) Commencement Credential.
- Petition of the City School District of the City of Olean for Consent to Exceed the Constitutional Debt Limit.
- Petition of the City School District of the City of Gloversville for Consent to Exceed the Constitutional Debt Limit.

P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING

Your P-12 Education Committee and Higher Education Committee held a joint meeting on November 14, 2016. All members were present, except for Regent Tallon who was excused.

MATTERS NOT REQUIRING BOARD ACTION

School Counseling, Certification Requirements for School Counselors and Program Registration Requirements for School Counseling Preparation Programs [P-12/HE (D) 1] – the Committee discussed proposed amendments to regulations relating to school counseling, certification requirements for school counselors and program registration requirements for school counseling preparation programs. Discussion focused on the newly revised amendments as a result of feedback received through public comment and the series of meetings and discussions held since September 2015. The Committee requested that staff come back at a future meeting to discuss how the regulations would be implemented in elementary schools given that there is no funding attached. Following the 30-day public comment, it is anticipated that the proposed rule will be presented for permanent adoption at the February 2017 Regents meeting. If adopted at the February meeting, the proposed amendment will become effective on July 1, 2017.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on November 14, 2016. All Committee members were present. Chancellor Betty S. Rosa, Vice-Chancellor T. Andrew Brown, Regent Kathleen M. Cashin and Regent Roger Tilles were also present, but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 40 consent order applications and 18 surrender applications be granted. [PPC EXS (A) 1-3]

These recommendations are made following the review of 62 cases involving sixteen registered professional nurses, fourteen licensed practical nurses, five licensed practical nurses who are also registered professional nurses, three pharmacies, three professional engineers, two dentists, two pharmacists, two veterinarians, one certified public

accountant, one chiropractor, one licensed master social worker, one occupational therapy assistant who is also an occupational therapist, one physical therapist, one psychologist, one registered professional nurse who is also a nurse practitioner (Adult Health), and one veterinary technician.

Restorations

Your Committee recommends the following:

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

That the surrender of William Degraw's license to practice as a LPN in the state of New York be stayed, and that he be placed on probation for a period of two years, under specified terms and conditions. Upon successful completion of the probation, his license would be fully restored. [PPC EXS (A) 5]

That the application of Farid U. Syed for the restoration of his license to practice as a pharmacist in New York State be denied. [PPC EXS (A) 6]

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 November 14, 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 [Oral Report] -

- Full Board Consent Agenda Items
- Board (Re) Appointments
- Licensing Petitions

MOVED, that the Committees Reports be approved.

Motion by: Regent Roger Tilles
Seconded by: Regent Kathleen M. Cashin
Action: Motion carried unanimously.

**2017 State Legislative Priorities
BR (A) 10**

MOVED, that the Regents affirm support for last year's proposals as well as approve the following one page proposals for the 2017 session:

ACCES - Reader's Aid
Cultural Education - Museum Education Act
Professional Practice - Enhanced Discipline Authority of the Licensed Professions

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

**Regents 2017-2018 State Budget Priorities
BR (A) 11**

MOVED, that the Regents approve budget priorities as follows:

Electronic Licensing System	\$4.3 million*
Public Library Construction	\$6 million
Statewide e-Book platform	\$ 2.5 million
Bridge to College & Careers Pilot Program	\$10.0 million
Independent Living Services	\$ 5.0 million

*Spending authority for existing revenue

Motion by: Regent Wade S. Norwood
Seconded by: Regent Judith Chin
Action: Motion carried unanimously.

**State Education Department October 2016 Fiscal Report
BR (A) 3**

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

Motion by: Regent Josephine Victoria Finn
Seconded by: Regent James R. Tallon, Jr.
Action: Motion carried unanimously.

**USNY Fiscal Agent Authorization
BR (A) 4**

MOVED, that the Board of Regents designate Elizabeth Berlin as fiscal agent for USNY effective November 30, 2016.

Motion by: Regent James R. Tallon, Jr.
Seconded by: Regent Judith Chin
Action: Motion carried unanimously.

**Acceptance of a \$225,000 grant from The Bill and Melinda Gates Foundation
BR (A) 5**

MOVED, that the Board of Regents accept the sum of \$225,000 from the Bill and Melinda Gates Foundation to support the work outlined.

Motion by: Regent Christine D. Cea
Seconded by: Regent Kathleen M. Cashin
Action: Motion carried unanimously.

**Acceptance of a \$200,000 grant from The Bill and Melinda Gates Foundation
BR (A) 6**

MOVED, that the Board of Regents accept the sum of \$200,000 from the Bill and Melinda Gates Foundation to support the work outlined.

Motion by: Regent Kathleen M. Cashin
Seconded by: Regent James E. Cottrell
Action: Motion carried unanimously.

APPOINTMENTS

**Appointment to the Position of Executive Secretary, State Boards for Podiatry,
Physical Therapy and Ophthalmic Dispensing
BR (A) 7**

MOVED, that the Board of Regents approve the appointment of Thania F. Fernandez as the Executive Secretary to the State Boards for Podiatry, Physical Therapy and Ophthalmic Dispensing.

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

**Appointment to the Position of Executive Secretary, State Boards for Pharmacy
and Midwifery
BR (A) 8**

MOVED, that the Board of Regents approve the appointment of Kimberly A. Leonard as the Executive Secretary to the State Board for Pharmacy and Midwifery.

Motion by: Regent Kathleen M. Cashin
Seconded by: Regent Roger Tilles
Action: Motion carried unanimously.

**Appointment of Counsel and Deputy Commissioner for Legal Affairs
BR (A) 9**

MOVED, that the Board of Regents approve the appointment of Alison B. Bianchi to the position of Counsel and Deputy Commissioner for Legal Affairs effective November 16, 2016.

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

Retirement of Don Juron, Chief Financial Officer (CFO)

Chancellor Rosa asked Vice Chancellor Brown to express the Board's appreciation for Don Juron's 34 ½ years of outstanding service to the Department.

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)
Children’s Museum of the East End	CE	Suffolk (Bridgehampton)	Grant an absolute charter.
Friends of Herkimer Home State Historic Site	CE	Herkimer (Little Falls)	Amend certificate of incorporation to change the corporate name to “The Friends of Historic Central Mohawk Valley” and the purposes to amend its geographic region to be the entire Central Mohawk Valley.
Grenell Island Historical Association	CE	Jefferson (Clayton)	Merge with Grenell Island Improvement Association, Inc. with the Grenell Island Historical Association as the surviving corporation.
The Lawrence Historical Organization	CE	St. Lawrence (Lawrenceville)	Extend charter for five years.
Lodi Whittier Library	CE	Seneca (Lodi)	Amend charter to specify the trustee term length to be three years.
Long Island Wireless History Society	CE	Suffolk (Sayville)	Amend charter to change the corporate name to “The Long Island Radio & Television Historical Society” and to extend the charter for five years.
The Historical Society of the Palisades Interstate Park Region	CE	Rockland (Bear Mountain)	Extend charter for five years.
The Mastic Peninsula Historical Society	CE	Suffolk (Mastic)	Extend charter for five years.
Osborne Center for Social Justice	CE	Seneca (Auburn)	Extend charter for five years.
Pacem in Terris	CE	Orange (Warwick)	Grant an absolute charter.
Ripley Free Library	CE	Chautauqua (Ripley)	Dissolve charter and approval to distribute remaining assets to the Ripley Public Library.
Stillwater Free Library	CE	Saratoga (Stillwater)	Dissolve charter and approval to distribute remaining assets to the Stillwater Public Library.

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Westmoreland Historical Society	CE	Oneida (Westmoreland)	Extend charter for five years.
Catholic School Region of the Northwest and South Bronx	P12	New York (Manhattan)	Amend charter to add a school location.
The Child Development Council	P12	Broome (Johnson City)	Extend charter for three years.
FES Sports Academy	P12	Kings (Brooklyn)	Amend charter to change the corporate name to "Minority Enterprise Career Schools" and revise purposes to operate grades nine through twelve.
Love of Learning Montessori School	P12	Suffolk (Centerport)	Amend charter to add an additional campus location at Centerport United Methodist Church, 97 Little Neck Road, Centerport, NY 11721.
Our Sons and Daughters School	P12	Suffolk (Sag Harbor)	Extend charter for three years.
River-Park Nursery School	P12	New York (Manhattan)	Restate charter to update current trustees and IRS dissolution language.
St. Mark's Nursery School	P12	Nassau (Rockville Centre)	Amend charter to change the corporate address to 100 Hempstead Avenue, Rockville Centre, NY11570.
St. Francis College	HE	Kings (Brooklyn)	Amend charter to add authority to confer the Master of Fine Arts (M.F.A.) degree.

Appendix II

REGENTS ACTIONS IN 64 PROFESSIONAL DISCIPLINE CASES AND 3 RESTORATION PETITIONS

November 14 - 15, 2016

The Board of Regents announced disciplinary actions resulting in the surrender of 18 licenses, and 44 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 3 restoration petitions.

I. SURRENDERS

Chiropractic

Richard Seth Hurwitz a/k/a Richard S. Hurwitz; Woodmere, NY 11598; Lic. No. 009834; Cal. No. 29191; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Health Care Fraud, a felony.

Engineering and Land Surveying

Michael David Zimmerman; Professional Engineer; Sudbury, MA 01776; Lic. No. 076087; Cal. 29242; Application to surrender license granted. Summary: Licensee did not contest charges of practicing the profession of engineering with a lapsed license in the State of New Jersey and misrepresenting on a New York State registration renewal application that he had not been previously disciplined in any other jurisdiction.

Russell Kenneth Teal; Professional Engineer; North Canton, OH 44720; Lic. No. 083679; Cal. No. 29243; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to comply with the mandatory continuing education requirements to be registered to practice as a professional engineer.

Nursing

Lorraine Casiano a/k/a Lorraine Meoni; Licensed Practical Nurse, Registered Professional Nurse; Setauket, NY 11733; Lic. Nos. 144252, 439287; Cal. Nos. 28996, 28997; Application to surrender licenses granted. Summary: Licensee admitted to charges of failing to follow proper procedure for the wasting of controlled substances and diverting Ativan tablets, a controlled substance, for her own use.

Susan Clow; Licensed Practical Nurse, Registered Professional Nurse; Rochester, NY 14612; Lic. Nos. 129330, 358371; Cal. Nos. 29095, 29094; Application to surrender licenses granted. Summary: Licensee admitted to charges of having been convicted of Driving While Intoxicated and having lied on the registration.

Richard Leeroy Downs; Licensed Practical Nurse; Cape Coral, FL 33990-1944, Cape Coral, FL 33990; Lic. No. 290094; Cal. No. 29149; Application to surrender license granted. Summary: Licensee admitted to the charge of having been found guilty of improper professional practice or professional misconduct by a duly authorized professional disciplinary agency of the State of Florida, where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State.

Mark C. Rivinus; Registered Professional Nurse; West Roxbury, MA 02132; Lic. No. 304867; Cal. No. 29223; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of professional misconduct in the State of Massachusetts, which conduct would be considered conduct in the profession which evidences moral unfitness, if committed in New York State.

Barbara Jean La Dore; Registered Professional Nurse; Myrtle Beach, SC 29579; Lic. No. 377132; Cal. No. 29227; Application to surrender license granted. Summary: Licensee admitted to the charge of practicing the profession of nursing while the ability to practice is impaired by carisoprodol, a muscle relaxant.

Stephen Francis Skolny; Registered Professional Nurse; Morris Run, PA 16939-0173; Lic. No. 488144; Cal. No. 29234; Application to surrender license granted. Summary: Licensee admitted to the charge of being unable to practice nursing with reasonable skill and safety to patients due to alcohol dependence.

Manohar Masih Mattu; Registered Professional Nurse; New Hyde Park, NY 11040; Lic. No. 469788; Cal. No. 29248; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of 3 counts of Rape in the 3rd Degree, a class E felony.

Linda A. Panetta; Registered Professional Nurse; Kennebunk, ME 04043; Lic. No. 236152; Cal. No. 29249; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of professional misconduct in the State of Maine, which conduct would be considered failure to maintain accurate patient records, if committed in New York State.

Pamela G. Kerr; Registered Professional Nurse; Junction City, KS 66441; Lic. No. 247171; Cal. No. 29259; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of professional misconduct in the State of Maine, which conduct would be considered failure to maintain accurate patient records, if committed in New York State.

Noelle Lynne Anderson; Registered Professional Nurse; Walled Lake, MI 48390; Lic. No. 595312; Cal. No. 29269; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of professional misconduct in the State of Michigan, which conduct would be considered being

habitually drunk or being dependent on, or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens or other drugs having similar effects, if committed in New York State.

Elizabeth J. Calabro; Registered Professional Nurse; Marana, AZ 85658; Lic. No. 313537; Cal. No. 29270; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving Under the Influence of alcohol following a motor vehicle accident and having been prescribed pain medications for chronic illness which may affect her ability to safely practice nursing, in violation of substantial provisions of Arizona law regarding the practice of nursing.

Physical Therapy

Laura Mary Flint; Physical Therapist; Murrells Inlet, SC 29576-5214; Lic. No. 006370; Cal. No. 29266; Application to surrender license granted. Summary: Licensee did not contest the charge of improperly delegating to an unlicensed aide functions requiring the professional judgment of a physical therapist, in South Carolina.

Public Accountancy

Richard H. Dickinson; Certified Public Accountant; Saratoga Springs, NY 12866-9107; Lic. No. 039003; Cal. No. 29267; Application to surrender license granted. Summary: Licensee admitted to the charge of failure to notify the Department within 45 days of the 2010 disciplinary actions taken by the states of Vermont and Maine, revoking his license in each state.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Engineering and Land Surveying

Michael Rabkin; Professional Engineer; Gouldsboro, PA 18424; Lic. No. 072225; Cal. No. 28907; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, 2 years probation to commence following service of 12 month actual suspension.

Nursing

Lauren M. Weaver; Registered Professional Nurse; Rochester, NY 14621; Lic. No. 613572; Cal. No. 27742; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Elizabeth DelBuono; Licensed Practical Nurse; Smithtown, NY 11787-5719; Lic. No. 282823; Cal. No. 27849; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Beth Ann Ours; Licensed Practical Nurse; Utica, NY 13502; Lic. No. 291583; Cal. No. 28245; Found guilty of professional misconduct; Penalty: 24 month suspension, execution of last 18 months of suspension stayed, upon service of Order and concurrent with actual suspension, probation 24 months.

Althenia Sherrie Bethel; Licensed Practical Nurse; Rochester, NY 14611; Lic. No. 267477; Cal. No. 28312; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$250 fine payable within 6 months.

Eileen K. Leon a/k/a Eileen Katherine Leon; Licensed Practical Nurse, Registered Professional Nurse; West Haverstraw, NY 10993-1509; Lic. Nos. 258025, 581823; Cal. Nos. 28582, 28583; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

Melissa S. Verdi a/k/a Melissa Verdi; Licensed Practical Nurse; Cheektowaga, NY 14215; Lic. No. 297314; Cal. No. 28624; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Amanda Diane Shaw; Registered Professional Nurse; Gerry, NY 14740-9514; Lic. No. 687377; Cal. No. 28700; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jeffrey John Mitchelson; Licensed Practical Nurse; Amsterdam, NY 12010; Lic. No. 293314; Cal. No. 28784; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Magdala Celestin; Licensed Practical Nurse; Elmont, NY 11003; Lic. No. 310672; Cal. No. 28785; 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.

Cynthia Opuni Agyei a/k/a Cynthia Agyei Ohene a/k/a Cynthia Ohene; Registered Professional Nurse; West Orange, NJ 07052; Lic. No. 557686; Cal. No. 28831; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$1,000 fine.

Jennifer L. Hay; Licensed Practical Nurse; Manlius, NY 13104; Lic. No. 302060; Cal. No. 28836; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Patricia R. Beebe; Registered Professional Nurse; Lyons, NY 14489; Lic. No. 617846; Cal. No. 28868; Application for consent order granted; Penalty agreed upon: Indefinite

actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Elizabeth Ann Rocklin; Licensed Practical Nurse, Registered Professional Nurse; Canajoharie, NY 13317; Lic. Nos. 233432, 612286; Cal. Nos. 28870, 28869; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

William D. Kacinski Jr; Registered Professional Nurse; Centereach, NY 11720; Lic. No. 507857; Cal. No. 28921; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Kristie Michelle Buehler; Licensed Practical Nurse; Seneca Falls, NY 13148; Lic. No. 323234; Cal. No. 28938; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Patricia A. Van Hoeven a/k/a Patricia Vanhoeven; Licensed Practical Nurse; Rome, NY 13440; Lic. No. 273933; Cal. No. 28947; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Theresa Armstrong; Licensed Practical Nurse; Rochester, NY 14611; Lic. No. 242303; Cal. No. 28948; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Mathew H. Zarzycki; Licensed Practical Nurse; Putnam, CT 06260; Lic. No. 319715; Cal. No. 28949; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Megan Teresa Hardgrove; Registered Professional Nurse; North Babylon, NY 11703-1927; Lic. No. 660580; Cal. No. 28964; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Shirlene Stephanie Williams; Licensed Practical Nurse, Registered Professional Nurse; Conyers, GA 30013; Lic. Nos. 294818, 659813; Cal. Nos. 29008, 29009; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 1 year probation, \$1,000 fine.

Suzanne T. Francis; Registered Professional Nurse, Nurse Practitioner (Adult Health); Farmington, NY 14425; Lic. No. 518746, Cert. No. 304300; Cal. Nos. 29030, 29031; Application for consent order granted; Penalty agreed upon: Indefinite actual suspensions until fit to practice, upon termination of suspensions, 2 years probation to commence upon return to practice, \$500 fine payable within 3 months.

Michael Troy Richmond; Licensed Practical Nurse; Bernhards Bay, NY 13028-4158; Lic. No. 306795; Cal. No. 29039; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Paul W. Waiting; Registered Professional Nurse; Seaford, NY 11783-1118; Lic. No. 612316; Cal. No. 29056; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Shanntel Raquel Okafor; Registered Professional Nurse; Jamaica, NY 11431-4305; Lic. No. 517893; Cal. No. 29074; Application for consent order granted; Penalty agreed upon: 4 month actual suspension, 20 month stayed suspension, 24 months probation.

Sarah Allison Frock; Licensed Practical Nurse; Athens, PA 18810-7786; Lic. No. 314047; Cal. No. 29238; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

Occupational Therapy

Celeste Rolon; Occupational Therapy Assistant, Occupational Therapist; Huntington, NY 11743; Auth. No. 005878, Lic. No. 012530; Cal. Nos. 29080, 29081; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 24 months probation.

Pharmacy

Nisar Rehman; Pharmacist; Garden City, NY 11040; Lic. No. 038486; Cal. No. 28807; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$5,000 fine.

Fauzia & Maher, Inc. d/b/a Rex Pharmacy; Pharmacy; 119-01 Rockaway Boulevard, Ozone Park, NY 11420; Reg. No. 016400; Cal. No. 28808; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Pharmacade Pharmacy Inc; Pharmacy; 1049 East 163rd Street, Bronx, NY 10459; Reg. No. 014782; Cal. No. 28922; Application for consent order granted; Penalty agreed upon: \$25,000 fine payable by service of Order, 3 years probation.

Point Pharmacy LLC; Pharmacy; 900 Hunts Point Avenue, Bronx, NY 10474; Reg. No. 023294; Cal. No. 28936; Application for consent order granted; Penalty agreed upon: \$25,000 fine payable by service of Order, 3 years probation.

William Spieler; Pharmacist; Chestnut Ridge, NY 10977-4434; Lic. No. 032007; Cal. No. 28965; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, following service of actual suspension, 3 years probation, \$25,000 fine payable within 30 days.

Psychology

Edward Michael Merski; Matawan, NJ 07747; Lic. No. 008433; Cal. No. 29239; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 24 months probation to commence upon return to practice in the State of New York, \$2,000 fine payable within 30 days.

Social Work

Jeffrey James Fudesco; Licensed Master Social Worker; Syracuse, NY 13210, Syracuse, NY 13201; Lic. No. 062749; Cal. No. 28877; Found guilty of professional misconduct; Penalty: \$500 fine, 2 year suspension, execution of suspension stayed, upon service of Order and concurrent with stayed suspension, probation 2 years.

Veterinary Medicine

Ernest Vine a/k/a Ernest L. Vine; Veterinarian; Atlantic Beach, NY 11509; Lic. No. 003652; Cal. No. 28671; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$500 fine.

Christopher Louis Pedersen; Veterinary Technician; East Moriches, NY 11940; Lic. No. 004533; Cal. No. 28911; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 3 months and until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation to commence if and when return to practice.

Cassandra Fay Carvin; Veterinarian; Herkimer, NY 13350; Lic. No. 010048; Cal. No. 29041; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

III. RESTORATIONS

The Board of Regents voted on November 15, 2016 to deny the application for restoration of the physician license of Prasad Chalasani, Jamaica, NY. Dr. Chalasani's license was originally revoked effective March 10, 2008.

The Board of Regents voted on November 15, 2016 to stay the execution of the order of surrender of the licensed practical nurse license of William Degraw, Sound Beach, NY, to place him on probation for two years under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Mr. Degraw's license was originally surrendered October 24, 2006.

The Board of Regents voted on November 15, 2016 to deny the application for restoration of the pharmacist license of Farid Syed, Jersey City, NJ. Mr. Syed's license was surrendered effective November 5, 2007.