



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: Anthony Lofrumento *Anthony Lofrumento*

SUBJECT: Summary of the April 2013 Meeting

DATE: May 13, 2013

AUTHORIZATION(S):

[Signature]
Executive Summary

Issue for Decision

Review of the Summary of the April 2013 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of April 2013 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 April 2013 meeting.

Timetable for Implementation

Effective May 20, 2013.

VOTED, that the Summary of the April 2013 Meeting of the Board of Regents of The University of the State of New York be approved.



***SUMMARY OF THE APRIL 2013 MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK***

Held at the State Education Building

***Albany, New York
April 22 and 23, 2013***

***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, April 22 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, April 22 at 9:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin
James E. Cottrell

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor Anthony S. Bottar and Regent T. Andrew Brown were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 9:00 a.m.

ACTION ITEMS

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, April 23, 2013 at 11:15 a.m. to discuss litigation matters.

MOVED, that the Board of Regents convene in executive session on Monday, May 20, 2013 at or about 12:45 p.m. to discuss litigation matters.

Motion by:	Chancellor Emeritus Robert M. Bennett
Seconded by:	Regent Geraldine D. Chapey
Action:	Motion carried unanimously

DISCUSSION ITEMS

**Proposed Amendments of §100.5 of the Regulations of the Commissioner relating to the Regents Research Paper requirement for students taking the Regents Examination in ELA (Common Core) and the transition to Common Core Regents Examinations in English Language Arts (ELA) and Mathematics
BR (D) 3**

Ken Slentz, Ken Wagner and Doug Jaffee led a discussion on proposed amendments to §100.5 of the Regulations of the Commissioner relating to the Regents Research Paper (see Attachment I) requirement for students taking the Regents Examination in ELA (Common Core) and the transition to Common Core Regents Examinations in English Language Arts (ELA) and Mathematics.

Educational Data Portal Update

BR (D) 2

Ken Slentz, Ken Wagner and Kristen Huff led a discussion on the Education Data Portal. See Attachment II.

Chancellor Merryl H. Tisch adjourned the meeting at 10:00 a.m., noting that there will be a continuation of the discussion of the Educational Data Portal at 12:25 p.m.

MEETING OF THE FULL BOARD, Monday, April 22 at 12:25 p.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin
James E. Cottrell

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor Anthony S. Bottar and Regent T. Andrew Brown were absent and excused.

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

DISCUSSION ITEMS

**Educational Data Portal Update
BR (D) 2**

Ken Slentz, Ken Wagner and Kristen Huff continued the discussion on the Education Data Portal. See Attachment II.

Chancellor Merryl H. Tisch adjourned the meeting at 12:55 p.m.

MEETING OF THE FULL BOARD, Tuesday, April 23 at 11:30 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin
James E. Cottrell

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor Anthony S. Bottar, and Regents Charles R. Bendit and T. Andrew Brown were absent and excused.

Chancellor Emeritus Robert M. Bennett called the meeting to order at 11:30 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 March 2013 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the March 2013 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by:	Regent Geraldine D. Chapey
Seconded by:	Regent James C. Dawson
Action:	Motion carried unanimously

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services (ACCES)

Amendment of Section 100.8 of the Regulations of the Commissioner of Education Relating to Local High School Equivalency Diplomas Based Upon Experimental Programs BR (CA) 1

MOVED, that section 100.8 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 8, 2013.

Higher Education

Reappointment to the NYS Teachers' Retirement System Board BR (CA) 2

MOVED, that the Board of Regents approve the reappointment of Daniel J. Hogarty, Jr., Michael Masse and R. Michael Kraus to the New York State Teachers' Retirement System Board, each for an additional three-year term commencing June 30, 2013 and expiring June 30, 2016.

P-12 Education

Amendment to Sections 100.2(c), 100.2(l) & 119.6, and 100.2 (kk) of the Commissioner's Regulations, Relating to the Dignity for All Students Act BR (CA) 3

MOVED, that paragraph (2) of subdivision (c) of section 100.2 of the Regulations of the Commissioner of Education is amended, as submitted, effective July 1, 2013, and it is further

MOVED, that paragraph (2) of subdivision (l) of section 100.2 and section 119.6 of the Regulations of the Commissioner of Education, are amended, as submitted, effective July 1, 2013, and it is further

MOVED, that subdivision (kk) of section 100.2 of the Regulations of the Commissioner of Education is amended, as submitted, effective July 1, 2013.

Amendment to Section 8.3 of the Rules of the Board of Regents Relating to State Assessments BR (CA) 4

MOVED, that section 8.3 of the Rules of the Board of Regents be amended, as submitted, effective April 23, 2013, 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 clarify the Board of Regents' authority to approve cut scores and performance standards for State assessments prior to the Commissioner's establishment of cut scores and performance standards for the new Grades 3-8 assessments, which are being administered Statewide for the first time in April 2013.

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

MOVED, That the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Niagara Falls in an amount not to exceed \$66,700,000 for capital improvements, consisting of addition to, reconstruction and renovations, in part and construction to, and of, school buildings, grounds and facilities throughout the district 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) 6**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 7 - REVISED**

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

**The State University of New York Empire State College: Authorization to
Award the Master of Science (M.S.) Degree
BR (CA) 8**

MOVED, that the Board of Regents authorize the SUNY Board of Trustees to award the Master of Science degree on students successfully completing registered M.S. programs at Empire State College effective April 23, 2013.

Motion by: Regent Wade S. Norwood
Seconded by: Regent Harry Phillips, 3rd
Action: Motion carried unanimously

DISCUSSION

Enacted State Budget

Beth Berlin discussed the recently enacted state budget.

ACTION ITEMS

State Education Department December 2012 Fiscal Report BR (A) 3

MOVED, that accept the March 2013 State Education Department Fiscal Report as presented.

Motion by: Regent Harry Phillips, 3rd
Seconded by: Regent James C. Dawson
Action: Motion carried unanimously

STANDING COMMITTEE REPORTS

AUDITS/BUDGET AND FINANCE

The Regents Committee on Audits/Budget and Finance met as scheduled yesterday morning, April 22, 2013. Chancellor Tisch, Regents Bendit, Cea, Cottrell, Norwood, Phillips, Tallon, Tilles, and Young were in attendance.

Items for Discussion

March 2013 Fiscal Report

Our Chief Financial Officer briefed the Members. General Fund accounts are in structural balance with the exception of the Tenured Teacher Hearings (TTH) account. Although fiscal and programmatic TTH reforms were included in the enacted state budget, there continues to be a deficit of an estimated \$9 million in unpaid bills due to chronic under funding of this program. Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education

Account is being reduced by approximately \$2,800,000, due primarily to an increase in revenue this year.

The members were also briefed on the impact of the 2013-14 Executive Budget on SED operations. The budget contains continued funding to support the baseline Regents exam program, and provides some additional funding for the High School Equivalency program, Teacher Tenured Hearings, and certain Library programs. All other State Operations and Special Revenue Account support is at last years level. In addition, the approved FTE staffing level remains at 2,765.

Completed Audits

The Committee was presented with eleven audits this month. Ten of the audits were issued by the Office of the State Comptroller (OSC) and one by the New York City Comptroller. Seven of the audits were of school districts, one was of a charter school, one was a provider of special education services, one examined a reporting process within the New York City Department of Education, and one was of Credit Recovery Program throughout the State. The Board of Regents requested OSC in October 2011 to conduct this particular audit.

The findings were in the areas of financial reporting, information technology, segregation of duties, budgeting, student transportation, credit recovery and accuracy of certain student data. The Committee was briefed in more detail on the audit of the Credit Recovery Program in school districts.

CULTURAL EDUCATION

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. Your Committee on Cultural Education Committee had its scheduled meeting on April 22, 2013.

In attendance were committee members: Regents Tilles, Dawson, Rosa Cea, Jackson, and Cottrell. Absent: Regents Bendit and Brown.

In addition to CE Committee Members, in attendance were: Chancellor Tisch, Regents Tallon, Phillips, Chapey, Norwood and Cashin as well as Commissioner King, Executive Deputy Commissioner Berlin and Deputy Commissioners Smith and Slentz.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting.

Libraries and the Common Core

Deputy Commissioner Jeffrey Cannell introduced Liz Hood, Director of Educational Television/Public Broadcasting. Ms. Hood announced the two day conference,

Uncommon Approaches to the Common Core, – a conference for librarians, museum administrators and educators, public media managers, and archives professionals scheduled for August 13–14, 2013 at the Cultural Educational Center in Albany. The two-day conference is hosted by P-12 and OCE and will provide professionals from cultural institutions an introduction to the Common Core Learning Standards and how the new standards will bring changes to instructional practice. The goal of the conference is to provide professionals from cultural institutions with guidance about how they can support teachers, students and families in this environment; and discover how participants and their institutions are vital partners in Common Core implementation. To illustrate the benefits of the partnerships, a school librarian and eighth-grade teacher from Voorheesville Middle School addressed the committee and provided an example of how they work collaboratively to implement aspects of the Common Core Learning Standards. The presenters were:

- J'aime Pfeiffer, School Library System Director, Capital Region BOCES
- Christina Menetti, Librarian, Voorheesville Middle School
- Jacqueline Rapant, ELA teacher, Voorheesville Middle School

Statewide Summer Reading Program

Bernard Margolis, State Librarian and Assistant Commissioner for Libraries presented on the Summer Reading program offered each year by the New York State Library – launching the annual statewide program at New York Libraries. This year there will be "virtual" launches which will be primarily on-line announcements based at several sites across the state. Margolis invited members of the Board of Regents to participate in launches at library locations in their districts. He distributed a list of venues and dates of the launches and encouraged members to contact him if they wished to participate in the launch events. The Statewide Summer Reading Program is the second most heavily used program of the State Library with nearly 1.8 million students participating.

Additional Update on NOVELny

Mr. Margolis gave a brief update on NOVELny, which had nearly 56 million searches on it last year. The CE Committee received a report about this program at the March 2013 meeting. The process of selection and procurement of the actual databases for next year (beginning July 1, 2013) is moving to completion. Margolis distributed the list of the types of databases that will be included in NOVELny this year.

Update on OCE financial status

Tom Ruller, Director of Operations for the Office of Cultural Education, presented to the committee a brief report on additional sources of revenue for OCE programs, focusing revenue raised from rentals of the CEC facility.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on April 22, 2013. All Committee Members were present, except for Vice-Chancellor Anthony S. Bottar, who

was excused. Chancellor Merryl H. Tisch and Regent James C. Dawson 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 5 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 32 consent order applications and 13 surrender applications be granted. [PPC EXS (A) 1-3]

In the case of Martin Nissenbaum, Certified Public Accountant, Calendar No. 26671, we recommend that, to clarify the caption in the report of the Regents Review Committee in this matter upon reconsideration, the word "is" be deemed deleted and the word "was" be deemed added and substituted therefor. [PPC EXS (A) 1 – Supplemental]

These recommendations are made following the review of 50 cases involving twelve licensed practical nurses, eleven registered professional nurses, seven licensed practical nurses who are also registered professional nurses, two architects, two certified public accountants, one acupuncturist, one licensed mental health counselor, one licensed psychoanalyst, one massage therapist, one occupational therapy assistant, one pharmacist, one physical therapist assistant, one professional engineer, and one veterinarian.

Restorations

Your Committee recommends the following:

That the application for the restoration of Jack Cohen's license to practice as a podiatrist in the State of New York be denied. [PPC EXS (A) 4]

That the application for the restoration of Saris Enrique Segarra's license to practice as a physician in the State of New York be denied. [PPC EXS (A) 5]

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 April 22, 2013, 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) –

- Full Board Consent Agenda Items
 - Board (Re)Appointments
 - Licensing Petitions
 - SUNY Empire State College -- authorizes the Board of Trustees of SUNY to confer the Master of Science (M.S.) degree on qualified students successfully completing registered programs at SUNY Empire State College
- Updates on OP Initiatives
 - Technology Update
 - Staffing/Productivity Update

Update on Architecture and Landscape Architecture [PPC (D) 1] – The Executive Secretary for the Architecture and Landscape Architecture Boards provided an update and discussed some of the trends and issues facing the architecture and landscape architecture professions.

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

Your P-12 Education Committee and Adult Career and Continuing Education Services Committee (ACCES) held a joint meeting on April 22, 2013. All members were present except for Vice Chancellor Bottar who was excused.

ACTION ITEMS

New York State Career Development and Occupational Studies Commencement Credential

Your Committees recommend that subparagraph (i) of paragraph (7) of subdivision (b) of section 100.5; section 100.6; and subparagraph (iii) of paragraph (5) of subdivision (a) of section 200.5 of the Regulations of the Commissioner be amended as submitted, effective April 23, 2013, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately establish criteria for the issuance of a New York State Career Development and Occupational Studies Commencement Credential to ensure that programs leading to such Credential are timely implemented for the 2013-2014 school year pursuant to the regulation's requirements, and thereby ensure that students with disabilities have an exiting credential available to them when the IEP diploma sunsets as of June 30, 2013. [P-12/ACCES (A) 1]

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your P-12 Education Committee and ACCES Committee recommend, 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 April 23, 2013, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Transition Planning: Career Development and Occupational Studies (CDOS) and Vocational Rehabilitation (VR) – The Committees discussed proposed amendments to regulations on how the implementation of the CDOS standards can provide critical information in student preparation for transition to postsecondary programs and employment. The implementation of the Career Development and Occupational Studies Standards would ensure school districts are providing students with disabilities planned opportunities to explore, evaluate and be exposed to work-based learning and instruction that would effectively increase students' knowledge and understanding of their skills and interests. [P-12/ACCES (D) 1]

Career Development and Occupational Studies (CDOS) Learning Standards –The Career Development and Occupational Studies (CDOS) Learning Standards which provide the foundation for college and career readiness for all students, were the focus of this month's Committee discussion. The NYS CDOS Learning Standards work in concert with the Common Core State Standards and are a foundation for college and career readiness for all students. Additionally the CDOS Learning Standards, together with specific industry standards, are the recognized educational base for career and technical education programs that lead to a technical endorsement on the Regents diploma. Department staff will continue to provide guidance and technical assistance to school districts and BOCES to implement the Common Core State Standards as well as the CDOS Learning Standards. As schools align their courses and programs to the Common Core State Standards, CTE programs will be available as a valuable resource to improve student achievement and identify career pathways that will prepare students to be college and career ready. [P-12/ACCES (D) 2]

Consent Agenda Items for ACCES Committee

The Board of Regents will take action on the following consent agenda item at their April 23, 2013 meeting.

- Proposed Amendments to Regulations Relating to Local High School Equivalency Diplomas based upon Experimental Programs.

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on April 22, 2013. All members were present, except for Vice Chancellor Anthony Bottar who was excused.

ACTION ITEMS

COMMUNITY Charter School

Your Committee recommends that the Board of Regents denies the renewal application for the COMMUNITY Charter School, that the board of trustees of the COMMUNITY Charter School be provided notice of this action and that its charter will terminate upon the expiration of its current charter term on June 30, 2013, and that the board of trustees of the COMMUNITY Charter School is directed to take all steps necessary to close the School in accordance with its charter and the School closure procedures of the Department and cease instruction as of June 30, 2013; including but not limited to the immediate provision of notice of this nonrenewal action to the parents of existing students of the Charter School, the parents of any students in the Charter School's most recent lottery and the parents of students on the Charter School's waiting list, provision for the orderly transfer of student records to the Buffalo City School District and disposition of the Charter School's assets. [P-12 (A) 1-Revised]

Believe Northside Charter High School

Your Committee recommends that the Board of Regents finds that the proposed revised charter: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the charter revision for Northside Charter High School and amends the provisional charter accordingly. [P-12 (A) 2]

Enterprise Charter School

Your Committee recommends that, pursuant to §2852(5-a) of the Education Law, the Board of Regents returns the proposed third renewal charter of the Enterprise Charter School to the Board of Education of the City School District of the City of Buffalo for reconsideration with the following comments and recommendations: based upon the consistently weak student performance data for Enterprise Charter School, it is recommended that the Board of Education of the City School District of the City of Buffalo, abandon its request for a three-year renewal of the school's charter and submit a proposed renewal charter which, at most, spans one year (expiring on June 30, 2014), at which time the Buffalo BOE as the chartering entity for Enterprise, will assess the School's progress at meeting performance benchmarks established for the School by the Buffalo BOE and make a determination concerning renewal of the School's charter. [P-12 (A) 3]

NYCDOE Charter School Renewal: Mott Haven Academy Charter School

The NYCDOE Charter School Renewal for Mott Haven Academy Charter School was not acted on at the P-12 Education Committee meeting on April 22, 2013. NYCDOE will

send a revised recommendation to be presented to the Board of Regents at their full Board meeting on April 23, 2013.

NYCDOE Charter School Renewals

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bronx Global Learning Institute for Girls Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2018.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the South Bronx Charter School for International Cultures and the Arts as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2018.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Future Leaders Institute Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2016.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the NYC Charter High School for Architecture, Engineering and Construction Industries as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2016.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bronx Community Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2015.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of The Ethical Community Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2015. [P-12 (A) 4-Revised]

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 April 23, 2013, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Revised NYSESLAT and Aligned Identification Test for English Language Learners – The Committee was updated on the development and implementation of Bilingual Common Core State Standards. In March 2012, staff presented a comprehensive plan for revising the English Language Proficiency Standards including aligning the New York State English as a Second Language Achievement Test (NYSESLAT). Revisions were made to the NYSESLAT that will be administered in the 2012-13 and 2013-14

school years to begin the alignment of this test with the Common Core Learning Standards and to reflect feedback from the field on how to improve the assessment. In addition to changing the NYSESLAT, the Department is planning to administer a new identification test, titled the New York State Identification Test for English Language Learners (NYSITELL), to replace the Language Assessment Battery-Revised (LAB-R) as the approved means of initially identifying ELLs in New York State. Aligning the NYSESLAT and the NYSITELL provides educators with an initial identification test examination that will better enable educators to determine a student's level of English proficiency and subsequently provide the appropriate instruction. The Department expects to sunset the LAB-R and implement the NYSITELL exam during the 2013-14 school year. In order to complete the transition, the Department will later this year present a regulatory revision for consideration by the Board that formally changes in regulation the name of this test. [P-12 (D) 1]

Prior Written Notice and Parental Consent for the Use of Public or Private Benefits or Insurance – Effective March 18, 2013, an amendment to the federal regulations implementing Part B of the Individuals with Disabilities Education Act (IDEA) was enacted relating to parental consent to access public benefits or insurance (e.g., Medicaid). The Committee discussed proposed amendments that will conform the Regulations of the Commissioner of Education to be consistent with federal regulations. Following a 45-day period of public comment and public hearings as required by IDEA, the proposed amendment will be submitted for action at the June 2013 meeting. [P-12 (D) 2]

Next Generation Science Standards – The Committee discussed the potential adoption of the Next Generation Science Standards (NGSS). The NGSS are based on the Framework for K–12 Science Education developed by the National Research Council. The Framework is an important research-based document that provides a foundation for 21st century K-12 science education. Through a multi-state collaborative process, the NGSS was developed to address science and engineering practices, concepts that cross multiple disciplines, and disciplinary core ideas. Department staff developed an evaluation tool to compare current New York State science learning standards and the NGSS to a set of rigorous, research-based criteria. The tool has been used in the ongoing feedback process by members of the Science Content Advisory Panel (SCAP), the New York State Science Education Consortium, and the Statewide Leadership Team (SLT) to analyze and compare both sets of standards against the criteria. In addition, a survey to gather public feedback has been devised based on this evaluation tool. The survey will be released upon publication of the full set of documentation for the NGSS expected near the end of April. Department staff will analyze feedback from the three select groups of stakeholders and the public survey and form a recommendation regarding the future of science education for the Board of Regents to consider in September. [P-12 (D) 3]

Protection of People with Special Needs Act – The Committee discussed the establishment of the new Justice Center for the Protection of People with Special Needs which becomes effective on June 30, 2013 and creates uniform safeguards for

vulnerable persons in facilities or provider agencies that are operated, certified, or licensed by State agencies to protect them against abuse, neglect and other conduct that may jeopardize their health, safety and welfare. Discussion focused on the implications for the Department and residential schools under the Department's oversight. At the June 2013 meeting of the Board of Regents, staff will recommend emergency action on regulations that will include incident management procedures that comply with the requirements of the Chapter 501 and guidelines and standards developed by the Justice Center. [P-12 (D) 5]

Consent Agenda Items

The Board of Regents will take action on the following consent agenda items at their April 23, 2013 meeting.

- Dignity Act Regulations relating to instructional requirements, code of conduct and reporting.
- Petition of the City School District of the City of Niagara Falls for Consent to Exceed the Constitutional Debt Limit
- Amendment to Section 8.3 of the Rules of the Board of Regents Relating to State Assessments

P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING

Your P-12 Education Committee and Higher Education Committee held a joint meeting on April 22, 2013. All members were present, except for Vice Chancellor Bottar who was excused.

MATTERS NOT REQUIRING BOARD ACTION

State-Provided Growth Measures in APPR – The Committee discussed a progress report developed by the Department relating to its continuing work to implement State-provided measures of student growth for use in Annual Professional Performance Reviews (APPRs) in 2012-13. This report will include a proposed value-added model for use in APPRs for the 2012-13 school year and thereafter for classroom teachers in grades 4-8 ELA and math and their principals, and high school principals. Discussion focused on proposed changes to the student growth measures for 2012-13 which include modifying how students are attributed to teachers in grades 4-8 ELA/Math; adoption of two High School Principal student growth measures; and adoption of “value-added” measures which will count for 25 points, instead of 20 points, for 4-8 ELA and Math and High School Principals. Department staff will seek comment and input from the field and will respond to implementation questions and concerns raised by Committee members. Staff will present a proposal to the Board of Regents at the June Regents meeting for approval of the use of a value-added model for evaluations conducted for the 2012-13 school year and thereafter for classroom teachers in 4-8 ELA and math and their principals and high school principals.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on April 23, 2013.

ACTION ITEMS

Legislative Proposal Relating to the Fingerprinting Process for Education Certification and Employment and Emergency Adoption of Proposed Amendment to Section 83.4 of the Regulations of the Commissioner of Education Relating to Moral Character. It is recommended that the Board of Regents approve development of the proposed legislation related to fingerprinting in accordance with this item to be transmitted to the Legislature for this legislative session. Also the Board approved that a new paragraph (4) of subdivision (d) of section 83.4 be added to the Regulations of the Commissioner of Education, as submitted, as an emergency action effective April 23, 2013, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately expedite the procedures in good moral character proceedings for revocation or other action against the teaching certificates of teachers and school administrators who commit a crime involving the submission of false information or fraud related to their criminal history record checks in order to ensure the protection and safety of the children and faculty of the schools in this State. The proposed amendment will become effective on April 23, 2013 and will be presented to the Board of Regents at the July Regents meeting for adoption as a permanent rule.

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 April 23, 2013, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Panel on Teacher Preparation Programs. Your Committee held a discussion related to teacher preparation programs. A panel consisting of members of the higher education community discussed topics related to their programs and provided insights from their experience as we consider new approaches to teacher preparation for the future.

School Building Leader Qualifications and Certification. Your Committee discussed program requirements for candidates wishing to become school building leaders and whether or not to consider a change in the requirements. Your Committee also heard a presentation which provided an update on the new certification examinations for SBL candidates. The exam was revised to include practice based skills such as data driven instruction, and to include more performance tasks, including a teacher observation task.

MOVED, that the Committee Reports be approved.

Motion by: Regent James C. Dawson
Seconded by: Regent Harry Phillips, 3rd
Action: Motion carried unanimously

**Legislative Proposal Relating to the Fingerprinting Process for Education
Certification and Employment and Emergency Adoption of a Proposed
Amendment to Section 83.4 of the Regulations of the Commissioner of Education
Relating to Moral Character
HE (A) 1**

MOVED, that the Board of Regents approve development of the proposed legislation related to fingerprinting in accordance with this item to be transmitted to the Legislature for this legislative session.

MOVED, that a new paragraph (4) of subdivision (d) of section 83.4 be added to the Regulations of the Commissioner of Education, as submitted, as an emergency action effective April 23, 2013, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately expedite the procedures in good moral character proceedings for revocation or other action against the teaching certificates of teachers and school administrators who commit a crime involving the submission of false information or fraud related to their criminal history record checks in order to ensure the protection and safety of the children and faculty of the schools in this State.

Motion by: Regent Harry Phillips, 3rd
Seconded by: Regent James C. Dawson
Action: Motion carried unanimously

COMMENT

Deputy Commissioner for Adult Career and Continuing Education (ACCES), Kevin Smith read the following statement to the Board:

"With the passage of the CDOS credential all students have a more meaningful pathway to graduation, college and career. ACCES and P-12 will utilize all of our assets and engage all community resources to make sure that those who may benefit by this credential can and will. And we will also work to make sure that everyone has the opportunity to achieve at the highest graduation standard possible. We will particularly focus on developing the Big Five School Districts capacity to implement this credential.

Clearly, there is a great deal of work to do to articulate, integrate and align all pathways to graduation.”

ACTION ITEMS

Charter Schools: Renewal of a Charter Authorized by the Chancellor of the New York City Department of Education (NYCDOE) BR (A) 5

MOVED, that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bronx Global Learning Institute for Girls Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2018.

MOVED, that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the South Bronx Charter School for International Cultures and the Arts as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2018.

MOVED, that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Future Leaders Institute Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2016.

MOVED, that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other

applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Mott Haven Academy Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2016. **MOVED**, that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the NYC Charter High School for Architecture, Engineering and Construction Industries as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2016.

MOVED, that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bronx Community Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2015.

MOVED, that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of The Ethical Community Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2015.

Motion by:	Regent James R. Tallon, Jr.
Seconded by:	Regent James C. Dawson
Action:	Motion carried unanimously, Chancellor Merryl H. Tisch abstained from the vote.

Chancellor Emeritus Robert M. Bennett adjourned the meeting at 12:00 p.m.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
Bridgehampton Historical Society	CE	Suffolk	Consent to filing of certificate of assumed name "The Bridgehampton Museum".
The Children's Museum of Oswego	CE	Oswego	Grant a provisional charter for five years.
Doris Duke Foundation for Islamic Art	CE	New York	Extend provisional charter for five years.
The East Kill Valley Historical Association	CE	Greene	Grant a provisional charter for five years.
Hartland Historical Society	CE	Niagara	Extend provisional charter for five years.
Heritage Hunters of Saratoga County, New York	CE	Saratoga	Amend, replace, and restate the provisional charter as a Regents certificate of incorporation.
Lyons Falls Library	CE	Lewis	Amend charter to: <ul style="list-style-type: none"> • Specify the number of trustees to be not less than 5 nor more than 12; • designate the library's service area to be coterminous with the Village of Lyons Falls; • designate Commissioner as agent for service; and • update IRS dissolution language.
Mamakating Historical Society	CE	Sullivan	Extend provisional charter for five years.
South Bristol Historical Society	CE	Ontario	Extend provisional charter for five years.
Steel Plant Museum	CE	Erie	Amend charter to change corporate name to "Steel Plant Museum of Western New York" and grant an absolute.
Tri-States Railway Preservation Society	CE	Orange	Grant an absolute charter.

The International School of Brooklyn	P-12	Kings	Amend charter to add authority to operate grades 7 and 8 and extend provisional charter for three years.
John A. Coleman Catholic High School	P-12	Ulster	To clarify that an absolute charter is granted nunc pro tunc to March 12, 2013 to the John A. Coleman Catholic High School and to correct the record of the March 2013 Regents vote.
Our Lady of Good Success	P-12	Suffolk	Amend charter to add authority to operate grade 9.

Appendix II

REGENTS ACTIONS IN 50 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS

April 22-23, 2013

The Board of Regents announced disciplinary actions resulting in the surrender of 13 licenses as well as 37 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 2 restoration petitions.

I. SURRENDERS

Massage Therapy

Anthony W. Courcy; Liverpool, NY 13090-1076; Lic. No. 025428; Cal. No. 26597; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of moral unfitness in the practice of massage therapy and obtaining a license fraudulently.

Nursing

Richard S. Jones; Registered Professional Nurse; Kingston, NY 12401; Lic. No. 621935; Cal. No. 26473; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted of Sexual Abuse and Forcible Touching.

Debra A. Tucker; Licensed Practical Nurse, Registered Professional Nurse; Cortland, NY 13045; Lic. Nos. 132178, 426424; Cal. Nos. 26479, 26476; Application to surrender licenses granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Possession of a Controlled Substance in the 7th Degree.

Sarah T. Sanchez; Licensed Practical Nurse; Hamilton, NY 13346; Lic. No. 282834; Cal. No. 26555; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of violating sections 12 and 3304 of the Public Health Law.

Dena Lynn Eisenberg; Licensed Practical Nurse; Smithtown, NY 11787; Lic. No. 088422; Cal. No. 26557; Application to surrender license granted. Summary: Licensee did not contest charges of moral unfitness in the practice of nursing based on filling prescriptions for herself for controlled substances without authorization and testing positive for opiates.

Eufemia Salomon-Flores a/k/a Eufemia Fe Salomon-Flores; Registered Professional Nurse; New York, NY 10019-5735; Lic. No. 228406; Cal. No. 26601; Application to

surrender license granted. Summary: Licensee admitted to charges of having been convicted of Grand Larceny in the 2nd Degree and Criminal Tax Fraud in the 3rd Degree, both felonies.

Ann Cayea Witt; Licensed Practical Nurse; Ellenburg Center, NY 12934-2901; Lic. No. 294377; Cal. No. 26603; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Forgery in the 2nd Degree.

Gail M. Green; Registered Professional Nurse; Troy, NY 12180; Lic. No. 300575; Cal. No. 26604; Application to surrender license granted. Summary: Licensee did not contest the charge of practicing the profession of nursing with moral unfitness.

Theresa Alice Pawlowski; Licensed Practical Nurse, Registered Professional Nurse; East Rockaway, NY 11518; Lic. Nos. 240579, 473532; Cal. Nos. 26612, 26606; Application to surrender licenses granted. Summary: Licensee admitted to allegations that she engaged in conduct in the practice of a profession which evidences moral unfitness.

Michele L. Nendza; Licensed Practical Nurse; Syracuse, NY 13207; Lic. No. 260716; Cal. No. 26623; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Possession of a Forged Instrument in the 2nd Degree.

Pharmacy

Lawrence R. Wheelock; Pharmacist; Potsdam, NY 13676; Lic. No. 033108; Cal. No. 26478; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Forgery in the 2nd Degree.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Acupuncture

Jacques Harry Gracia a/k/a Jacques Garcia; Baldwin, NY 11510; Lic. No. 002510; Cal. No. 26466; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$2,500 fine.

Architecture

Robert Michael Scarano, Jr.; Brooklyn, NY 11223; Lic. No. 017739; Cal. No. 25878; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 24 months probation, \$5,000 fine.

Naphtali Zvi Deutsch; New York, NY 10025; Lic. No. 027303; Cal. No. 26385; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$2,300 fine payable within 60 days.

Engineering and Land Surveying

Nari Motwani; Professional Engineer; Fort Lee, NJ 07024; Lic. No. 056831; Cal. No. 26531; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$2,500 fine.

Mental Health Practitioners

Arline Deborah Hirsch; Licensed Psychoanalyst; New York, NY 10010; Lic. No. 000243; Cal. No. 26490; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Michael S. Washco; Licensed Mental Health Counselor; Albany, NY 12204; Lic. No. 004209; Cal. No. 26503; Application for consent order granted; Penalty agreed upon: 2 year suspension, 2 years probation to commence upon return to practice, \$750 fine payable within 6 months.

Nursing

Randi Joy Robbins; Licensed Practical Nurse, Registered Professional Nurse; Hanson, MA 02341; Lic. Nos. 192472, 463909; Cal. Nos. 24901, 24902; Found guilty of professional misconduct; Penalty: \$500 fine to be paid within 9 months, suspension for minimum of 6 months, and thereafter indefinitely, until substance abuse-free and until fit to practice, upon termination of suspension and upon actual return to practice in State of New York, probation 2 years.

Jill Jeanne Werkheiser; Licensed Practical Nurse; Selden, NY 11784; Lic. No. 230246; Cal. No. 25469; Found guilty of professional misconduct; Penalty: Suspension for minimum of 3 months, and thereafter indefinitely, until alcohol abuse-free, fit to practice, and psychologically fit to practice, upon termination of suspension and upon actual return to practice, probation 2 years.

Amanda Perez; Licensed Practical Nurse, Registered Professional Nurse; Seymour, CT 06483; Lic. Nos. 281305, 588165; Cal. Nos. 25806, 25807; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$2,500 fine.

Sally J. McDonald; Registered Professional Nurse; Tonawanda, NY 14150; Lic. No. 533287; Cal. No. 26156; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Debbie L. Vargas; Licensed Practical Nurse; Lynbrook, NY 11563; Lic. No. 292725; Cal. No. 26267; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Marilyn Mora; Registered Professional Nurse; Staten Island, NY 10310-1909; Lic. No. 590569; Cal. No. 26268; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Grace S. Chang; Registered Professional Nurse; Towaco, NJ 07082-1243; Lic. No. 585219; Cal. No. 26305; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

Ricky Lawrence Jeremiah; Registered Professional Nurse; Rosedale, NY 11422; Lic. No. 429910; Cal. No. 26317; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Chudney Desarme; Licensed Practical Nurse; Saint Albans, NY 11412-2012; Lic. No. 290938; Cal. No. 26332; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Jeffrey C. Lehnem; Licensed Practical Nurse; Dunkirk, NY 14048; Lic. No. 258274; Cal. No. 26351; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Sarah Lee Bonilla; Licensed Practical Nurse; Menands, NY 12204; Lic. No. 294492; Cal. No. 26389; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Douglas William Pross a/k/a Douglas W. Pross; Registered Professional Nurse; Schenectady, NY 12305; Lic. No. 456254; Cal. No. 26433; Found guilty of professional misconduct; Penalty: \$500 fine to be paid within 6 months, indefinite suspension until substance abuse-free and until fit to practice, upon termination of suspension and upon actual return to practice, probation 2 years.

Joanna Gadomski; Licensed Practical Nurse; Rochester, NY 14624; Lic. No. 293576; Cal. No. 26482; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kristine M. Klick; Licensed Practical Nurse; Lyons, NY 14489; Lic. No. 281403; Cal. No. 26501; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence if and when return to practice, \$250 fine payable within 5 months.

Darryl Lawrence Lahon; Licensed Practical Nurse, Registered Professional Nurse; Schenectady, NY 12308; Lic. Nos. 242209, 513461; Cal. Nos. 26507, 26506;

Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Marlon Vibar Legaspi; Licensed Practical Nurse, Registered Professional Nurse; Valley Cottage, NY 10989; Lic. Nos. 274955, 581721; Cal. Nos. 26511, 26512; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$1,000 fine.

Kim J. Hein; Registered Professional Nurse; Mechanicville, NY 12118; Lic. No. 509968; Cal. No. 26523; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Maria Eufemia Salomon-Rosanes; Registered Professional Nurse; New Rochelle, NY 10805; Lic. No. 550363; Cal. No. 26528; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$1,000 fine.

James Joseph McKenna; Registered Professional Nurse; Manorville, NY 11949; Lic. No. 471487; Cal. No. 26533; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Tami C. Bechtel; Licensed Practical Nurse; Gillett, PA 16925; Lic. No. 163174; Cal. No. 26537; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Mary Skelly McDonagh; Licensed Practical Nurse, Registered Professional Nurse; Garden City, NY 11530; Lic. Nos. 179483, 381978; Cal. Nos. 26649, 26650; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation.

Occupational Therapy

AnnMarie Cottone; Occupational Therapy Assistant; East Patchogue, NY 11772; Cert. No. 005188; Cal. No. 26443; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Physical Therapy

Jacques Harry Gracia a/k/a Jacques Garcia; Physical Therapist Assistant; Baldwin, NY 11510; Cert. No. 003428; Cal. No. 26465; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$2,500 fine.

Public Accountancy

Richard T. Saxton; Certified Public Accountant; Saratoga Springs, NY 12866-2222; Lic. No. 037481; Cal. No. 26283; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$2,000 fine.

Martin Nissenbaum; Certified Public Accountant; New York, NY 10018; Lic. No. 039081; Cal. No. 26671; Application for reconsideration granted: Vote & Order under Cal. No. 25217 vacated, Statement of Charges dismissed.

Veterinary Medicine

R. Geoffrey Broderick; Veterinarian; Huntington, NY 11743-2060; Lic. No. 003008; Cal. No. 26129; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$10,000 fine.

III. RESTORATIONS

The Board of Regents voted on April 23, 2013 to deny the application for restoration of the podiatrist license of Jack Cohen, Brooklyn, NY. Dr. Cohen's license was originally revoked April 27, 1999.

The Board of Regents voted on April 23, 2013 to deny the application for restoration of the physician license of Saris Enrique Segarra, New York, NY. Dr. Segarra's license was originally surrendered February 24, 2000.



Our Students. Their Moment.

The Regents Research Paper

Board of Regents

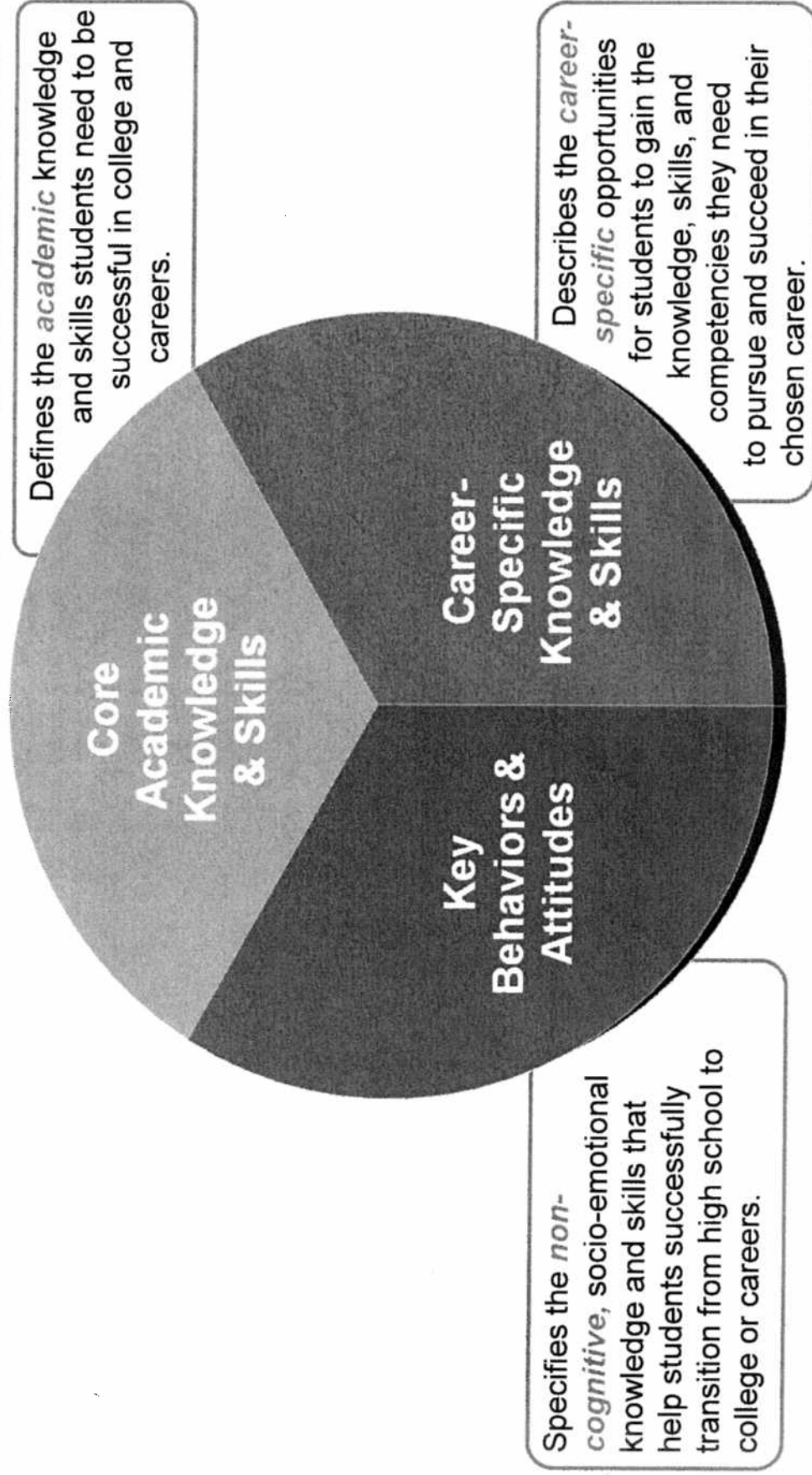
April 2013

Attachment I



EngageNY.org

College and Career Readiness- Domains



INSIDE HIGHER ED

Survey Finds Continued Gap Between High Schools and Colleges

Submitted by Scott Jaschik on April 18, 2013 - 3:00am

A new survey in from ACT shows the continued gap between those who teach in high school and those who teach in college when it comes to their perceptions of the college preparation of today's students. Nearly 90 percent of high school teachers told ACT that their students are either "well" or "very well" prepared for college-level work in their subject area after leaving their courses. But only 26 percent of college instructors reported that their incoming students are either "well" or "very well" prepared from a similar survey in 2009.

Source URL: <http://www.insidehighered.com/quicktakes/2013/04/18/survey-finds-continued-gap-between-high-schools-and-colleges>

Links:
[1] <http://www.act.org/newsroom/releases/view.php?land=endlish&ano.n=2003>

Nearly 90 percent

of high school teachers said their students are either "well" or "very well" prepared.

But only 26 percent

of college instructors reported that their incoming students are either "well" or "very well" prepared.

The Regents Research

Paper is part of

New York State's strategy to change this.

Research on Research

The most important skills expected of incoming college freshmen are

- articulating a clear thesis
- identifying, evaluating, and using evidence to support or challenge the thesis
- considering and incorporating counter-arguments into their writing
- “develop[ing] ideas by using some specific reasons, details, and examples”
- “take[ing] and maintain[ing] a position on an issue”
- “support[ing] claims with multiple and appropriate sources of evidence²”

¹ From a 2002 survey of instructors of freshman composition and other introductory courses across the curriculum at California's community colleges, California State University campuses, and University of California campuses (Intersegmental Committee of the Academic Senates of the California Community Colleges, the California State University, and the University of California, 2002)

² ACT, Inc., 2009

Research Writing and the Common Core

“Because of the centrality of writing to most forms of inquiry, research standards are prominently included in this strand, though skills important to research are infused throughout the document.”

Common Core for ELA & Literacy, p. 6

Research and the Shifts

Shift in ELA/Literacy	Description	How this is reflected in Regents Research Requirement
Balancing Informational & Literary Text	Students read a true balance of informational and literary texts	<ul style="list-style-type: none"> - Reliable print and authentic sources - Four informational sources - Non-ELA content areas encouraged
Knowledge in the Disciplines	Students build knowledge about the world (domains/ content areas) through TEXT rather than the teacher or activities	<ul style="list-style-type: none"> - Knowledge built from reliable print and authentic sources - Research questions that are centered around non-ELA content areas
Staircase of Complexity	Students read the central, grade appropriate text around which instruction is centered. Teachers are patient, create more time and space and support in the curriculum for close reading	<ul style="list-style-type: none"> - Exposure to complex texts requiring close reading
Text-based Answers	Students engage in rich and rigorous evidence based conversations about text	<ul style="list-style-type: none"> - Emphasis on reliable print and authentic sources and informational sources, discourse with peers and teachers about content found in text
Writing from Sources	Writing emphasizes use of evidence from sources to inform or make an argument	<ul style="list-style-type: none"> - Write, inform, or make an argument based in evidence from reliable sources
Academic Vocabulary	Students constantly build the transferable vocabulary they need to access grade level complex texts. This can be done effectively by spiraling like content in increasingly complex texts	<ul style="list-style-type: none"> - Domain-specific vocabulary in the complex texts students read closely that are related to their topic or thesis

The Regents Research Paper

An opportunity for students to demonstrate necessary college and career readiness skills and CCLS writing standards that cannot be measured in an examination setting due to time constraints.

Implementation Timeline:

- Begins with students taking the January 2015 Regents Exam in English Language Arts (Common Core)
- Highly recommended—but not required—for all students prior to January 2015

Statewide Requirements + Local Decision Making

- NYSED will provide **high-level minimum requirements**
- School districts will be encouraged to **develop or refine their own research paper guidelines** which meet or exceed the State's minimum requirements
- **English language learners and students with disabilities** will be allowed accommodations as appropriate
- Students needing **additional time** may begin this process in 10th Grade per local decision

Parallel Policy – Science Lab Requirements

NYSED provided high-level requirements

- **To qualify to take a Regents examination in any of the sciences, a student must**
 - **Complete 1,200 minutes of hands-on laboratory experience**
 - **Submit documented laboratory reports**
 - **Complete required classroom instruction associated with earning a unit of credit.**

School districts developed science learning experiences to meet the State’s minimum requirements

Minimum Requirements

1. English language, word-processed, adherent to the publication guidelines of the discipline pertaining to the subject of the paper

2.

Citing a minimum of four *informational* texts as sources gathered from multiple authoritative print and/or digital sources

3.

Minimum of five typed pages (approximately 1,250 words of text)

4.

Completed procedural checklist which meets State requirements

Additional Guidance



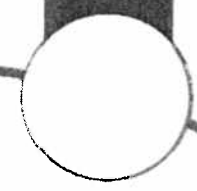
The Regents Research Paper completed and graded prior to taking the Regents Exam in ELA.



The ELA teacher is responsible for the instruction associated with the Research Paper. It is permissible for the topic of the paper to be from other disciplines and could also include a research project.



The principal certifies receipt of the procedural checklist and maintains records on which students completed the Regents Research Paper, as well as maintains the original papers themselves, and determines eligibility for taking the Regents Exam in ELA.



The Regents Research Paper measures readiness in CCLS writing standards that cannot be measured in the Regents Exam in ELA due to time constraints.



NYSED will provide exemplars to illustrate various ways that students can meet the Regents Research Paper requirement.

Implementation Resources

Framework

- The Framework provides requirements, guidance, and FAQs
- The target audiences for the framework include district ELA coordinators and high school ELA teachers and principals

Curricular Exemplars

- The Curricular Exemplars will be created by our 6-12 Curriculum Module vendors to function as a means of providing the appropriate instruction on research writing as dictated by the CCLS

Samples from the Field

- Samples of research paper processes and products currently in use in the field are being collected and will be posted

**** Drafts will be on Engage^{NY} in time for the May NTI ****

Education Data Portal Implementation Update

**Supporting Common Core Learning Standards
and College- and Career-Readiness**

**Board of Regents
April 2013**

Attachment II

Data System Milestones

- P-16 Data System MOU among NYSED, SUNY, CUNY, NYC, Syracuse, and Yonkers (2008)
- IES 1 - \$7.8 MM (2009)
- IES 2 - \$19.7 MM (2010)
- State Capital Funds - \$20.4 MM (2010)
- RTTT - ~\$60 MM for data system (2010)
- Board of Regents SLC Strategy Authorization
 - December 2011
- Approved EDP Contracts (2013) –
 - Content Management and System Services with PCG - \$31 MM
 - Data Dashboard Services with ConnectEDU, eScholar, and Pearson/SchoolNet - \$19.5 MM
 - Independent Verification and Validation with NYSTEC - \$3 MM

EDP Goals at Launch:

- Secure and private data tools for educators, students, and families
- Easy access to Common Core curriculum and instruction resources ([EngageNY.org](https://www.engageNY.org))
- Online communities for educators
- Ability for LEA's, BOCES, NYSED, or third-parties to more effectively improve and add to the system

Guiding Questions

- Can educational technology tools help support teaching and student learning?
- Can we invest in a system that provides districts and schools with more educational technology options at lower costs and allows them to improve the system to meet local needs?
- How do we improve data security and privacy protocols when districts, schools and BOCES/RICs contract with third party educational technology vendors?

Current and Past Practices

- Consistent with FERPA, New York has a statewide student database in place and provides this information to third parties as necessary to meet its program evaluation and improvement responsibilities (e.g., school report cards)
- Consistent with FERPA, districts and schools provide data to third parties to meet their instructional and organizational responsibilities
 - Student enrollment and schedules
 - Special education services
 - School lunch and transportation
 - Online learning and formative assessment

Emerging Opportunities

- Implementation of the Common Core
- inBloom shared services and standards that allow tools to be built to standard (will work “out of the box”), increasing options and lowering costs
- Statewide identity management (educators, students, families) that help standardize security protocols to ensure only the right people view the right data
- Initial RTTT funds to invest in non-proprietary and open tools that meets long-term goals

What is Cloud Storage?

Cloud storage means that data are stored on computers in shared data centers

(see <http://www.ed.gov/blog/2013/04/cloudy-with-a-chance-of-data>)

- “Whenever student data is being stored—whether on paper, on servers in the back room of a school building, or ‘in the cloud’—security, privacy and other legal and operational issues must always be addressed.
- “It is important to note that the collocation of servers for multiple schools in a single data center is *not* the same as comingling the student information into a single database. This may be the most widely misunderstood concept about storing student data in the cloud.”

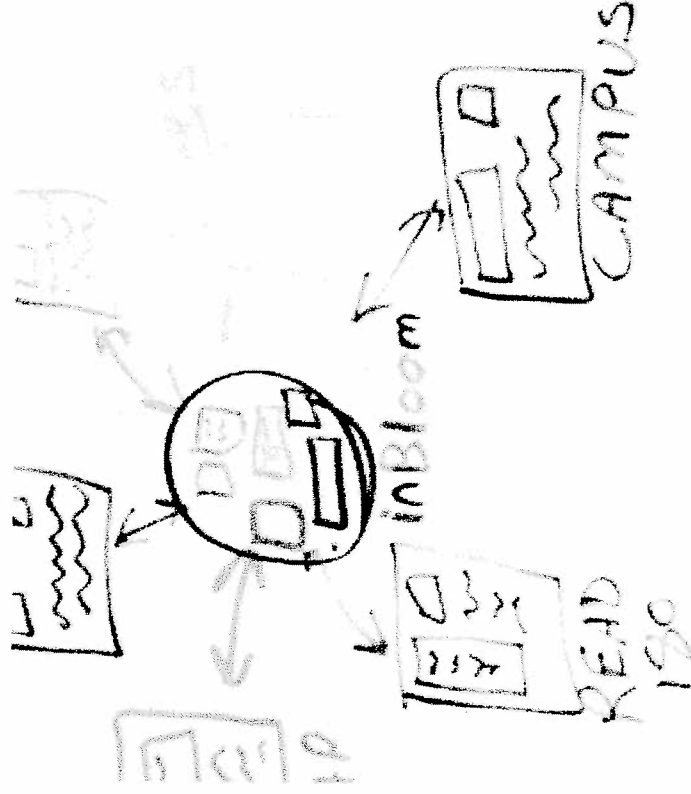
What is Cloud Storage? (cont'd)

- Cloud computers are no less secure than an individual computer connected to the internet
- Best-in-class cloud storage is likely more secure than data stored on student, teacher, school, or district computers with fewer resources for privacy protection
- EDP requires that all cloud storage comply with the federal FedRAMP security standards
- In addition, all inBloom data are **encrypted**, both at rest and in transfer

Example from the Jefferson County Public Schools in Colorado

<http://usny.nysed.gov/rttt/data/edp.html>

Watch the video below to see an example of how Jefferson County schools will use the Colorado Data Portal.



Data Privacy and Security

<http://usny.nysed.gov/rttt/data/edp-privacy-parent-faq.html>

- Data security and privacy is a primary goal
- States/districts retain ownership of all data
- Data are never re-disclosed to a third-party, including vendors, without State/LEA approval
- Federal and state security protections, including FERPA
- Local and State data stored through inBloom are encrypted and separate from other states and districts (no national database)