



**TO:** The Honorable the Members of the Board of Regents  
**FROM:** Tony Lofrumento *Anthony Lofrumento Jr*  
**SUBJECT:** Summary of the April 2019 Meeting  
**DATE:** April 25, 2019  
**AUTHORIZATION(S):** *Mary Ellen Elin*

### **EXECUTIVE SUMMARY**

#### **Issue for Decision**

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

#### **Proposed Handling**

Approval of the Summary of April 2019 meetings.

#### **Procedural History**

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

#### **Recommendation**

Approval of the Summary of the April 2019 meetings.

#### **Timetable for Implementation**

Effective May 7, 2019.

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



***SUMMARY OF THE APRIL 2019 MEETING***

***OF THE BOARD OF REGENTS***

***OF***

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

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

***April 8 and 9, 2019***

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

## **THE BOARD OF REGENTS**

The Board of Regents of The University of the State of New York held a public session on Monday, April 8, 2019 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, April 8<sup>th</sup> at 9:00 a.m.**

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

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regent Beverly L. Ouderkirk was absent and excused.

Chancellor Rosa recognized Assistant Principals, sharing the Board's appreciation Assistant Principals across the State.

Regent Beverly L. Ouderkirk provided words of reflection by video link to open the meeting.

Chancellor Rosa introduced the *Focus of Our Work Video*: Tech Valley High School, Dr. Gladys Cruz, District Superintendent of Questar III BOCES, Anita Murphy, District Superintendent of Capital District BOCES and James Niedermeier, Principal & Chief Academic Officer, Tech Valley High School.

**ACTION ITEM**

**Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Monday, April 8<sup>th</sup> at 4:50 p.m. to discuss personnel and litigation matters.

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

**DISCUSSION ITEM**

**Every Student Succeeds Act (ESSA) – Update on Implementation**

Commissioner Elia, Angélica Infante-Green and Ira Schwartz provided an update on the ESSA implementation. (Attachment I).

Chancellor Betty A. Rosa adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, April 9<sup>th</sup> at 10:50 a.m.**

**Board Members in Attendance:**

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Lester W. Young, Jr., Josephine Victoria Finn and Beverly L. Ouderkirk were absent and excused.

Chancellor Rosa recognized Library Workers Day and expressed appreciation for Library Workers in the New York State Library and in all libraries across the State.

Regent Catherine Collins provided thoughts for a moment of reflection.

**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 2019 Meeting of the Board of Regents**

**BR (A) 2**

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

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

## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

#### **Appointments and Reappointments to the New York State Teachers' Retirement System Board BR (CA) 1**

**MOVED**, that the Board of Regents reappoint Daniel J. Hogarty, Jr. to the NYS Teachers' Retirement System Board pursuant to Section 504(2)(a) of the Education Law for an additional three-year term commencing May 1, 2019 and expiring May 1, 2022; and

**MOVED**, that the Board of Regents appoint Jennifer Longtin to the NYS Teachers' Retirement System Board pursuant to Section 504(2)(b) of the Education Law to a three-year term commencing June 30, 2019 and expiring June 30, 2022; and

**MOVED**, that the Board of Regents appoint Christopher Morin to the NYS Teachers' Retirement System Board pursuant to Section 504(2)(b) of the Education Law to a three-year term commencing June 30, 2019 and expiring June 30, 2022 to the New York State Teachers' Retirement System Board.

### **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) 2**

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

#### **Report of the Committee on the Professions Regarding Licensing Petitions BR (CA) 3**

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

#### **City University of New York Herbert H. Lehman College (CUNY Lehman College): Authorization to Award the Doctor of Nursing Practice (D.N.P.) Degree BR (CA) 4**

**MOVED**, that the Board of Regents authorize the CUNY Board of Trustees to award the D.N.P. degree on duly qualified students successfully completing the D.N.P. programs at CUNY Lehman College effective April 10, 2019.

**Master Plan Amendment: City University of New York Herbert H. Lehman College (CUNY Lehman College), Doctor of Nursing Practice (D.N.P.) Programs in Family Nurse Practitioner (FNP) and Pediatric Nurse Practitioner (PNP)  
BR (CA) 5**

**MOVED**, that the Board of Regents approve an amendment to the master plan of CUNY Lehman College to authorize the college to offer the D.N.P. program in FNP and PNP. If the Board of Regents approves the master plan amendment, the Department will transmit it to the Governor with a recommendation for favorable action. Following gubernatorial approval, the program will be registered.

**Master Plan Amendment: The State University of New York Health Science Center at Brooklyn (SUNY Downstate Medical Center), M.S. Program in Applied Behavior Analysis  
BR (CA) 6**

**MOVED**, that the Board of Regents approve the amendment to the master plan of the State University of New York authorizing SUNY Downstate Medical Center to offer its first master's level program in the social sciences disciplinary area, an M.S. program in Applied Behavior Analysis. If the Board of Regents approves the master plan amendment, the Department will transmit it to the Governor with a recommendation for favorable action. Following gubernatorial approval, the program will be registered.

**Proposed Amendment to Sections 63.4 and 63.9 of the Regulations of the Commissioner of Education Relating to Administration of Vaccinations by Pharmacy Interns  
BR (CA) 7 – REVISED**

**MOVED**, that subdivision (d) of section 63.4 of the Regulations of the Commissioner of Education be added, as submitted, effective April 15, 2019, and section 63.9 be amended, as submitted, effective April 15, 2019 as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to conform the Regulations of the Commissioner of Education to the requirements of Chapter 359 of the Laws of 2018, which authorizes the administration of immunizations by a pharmacy intern, certified to administer immunizations, after completing required training, under the immediate and personal supervision of a licensed pharmacist certified to administer immunizations.

**State University of New York Health Science Center at Brooklyn (SUNY Downstate Medical Center): Authorization to Award the Doctor of Nursing Practice (D.N.P.) Degree  
BR (CA) 8**

**MOVED**, that the Board of Regents authorize the SUNY Board of Trustees to award the D.N.P. degree on duly qualified students successfully completing the D.N.P. program at SUNY Downstate Medical Center effective April 9, 2019.

**P-12 Education**

**Petition of the City School District of the City Oswego for Consent to Exceed the Constitutional Debt Limit  
BR (CA) 9**

**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 Oswego in the amount not to exceed \$57,200,000 for the reconstruction, improvement, rehabilitation, repair, furnishing and equipping of Oswego High School, Oswego Middle School, Fitzhugh Park Elementary School, Kingsford Park Elementary School, Riley Elementary School, Leighton Elementary School and Minetto Elementary School, in excess of the constitutional debt limit of said school district.

**Petition of the City School District of the City of Utica for Consent to Exceed the Constitutional Debt Limit  
BR (CA) 10**

**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 Utica in the total amount not to exceed \$14,975,000 for the reconstruction, improvement and additional improvements of the Proctor High School, John F. Kennedy Middle School, and Donovan Middle School athletic facilities, in excess of the constitutional debt limit of said school district.

**Revision to a Charter Authorized by the Board of Regents  
BR (CA) 12**

**MOVED**, that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter 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 Rosalyn Yalow Charter School and amends the provisional charter accordingly.

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

**Motion by:** Regent Kathleen M. Cashin  
**Seconded by:** Regent Elizabeth S. Hakanson  
**Action:** Motion passed unanimously.

## **STANDING COMMITTEE REPORTS**

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

Your Adult Career and Continuing Education Services (ACCES) Committee held a meeting on April 8, 2019. All members were present, except for Regent Ouderkirk, who was excused.

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

New York State Rehabilitation Council – The Committee was provided with a panel presentation on the State Rehabilitation Council (SRC) which included an update on the 2017-18 activities and recommendations and the 2018-19 council priorities. The SRC was established to fulfill the requirements of the federal Rehabilitation Act of 1973, as amended and to advise the department on the provisions of vocational rehabilitation services. The council is comprised of twenty-one voting members and several non-voting members. They convene quarterly in-person meetings of the full Council in addition to monthly committee conference calls. As an advisory body, the SRC works collaboratively with ACCES-VR making recommendations that support the goals outlined in the New York State Plan required by the Workforce Innovation and Opportunity Act.

### **AUDITS/BUDGET AND FINANCE**

Your Committee on Audits/Budget and Finance had its scheduled meeting on April 8, 2019. Regent Josephine Finn, Chair of the Audits/Budget and Finance Committee, submitted the following written report. In attendance were committee members: Regent Finn, Chair, Regents Collins, Cottrell, Hakanson, Mead, Tilles and Young. In addition to Audits/Budget Committee Members, in attendance were: Chancellor Rosa and Regents Cashin, Mittler and Norwood as well as, Commissioner Elia and Executive Deputy Commissioner Beth Berlin.

### **ITEMS FOR DISCUSSION**

Chair's Remarks: Regent Finn welcomed everyone. She introduced Sharon Cates-Williams, Deputy Commissioner, to present the Board of Regents Oversight of Financial Accountability Report and then Phyllis Morris, Chief Financial Officer, to present the March 2019 Fiscal Report.

## **Completed Audits**

This month the Board is being presented with seven audits, which were conducted by the Office of the New York State Comptroller (OSC). Six audits were of school districts and one was of a special education service provider. The findings were in the areas of budgeting/financial reporting, extra-classroom activities, payroll and leave accruals, energy management, and Reimbursable Cost Manual compliance.

## **Fiscal Report**

The Chief Financial Officer, Phyllis Morris, provided the Members with the March 2019 fiscal report that reflects actual expenditures through March 31, 2019 and projected expenditures through the lapse period ending June 30, 2019. Extensive spending controls continue for all funds. General Fund spending plans reflect the amounts appropriated in the 2018-19 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 end the fiscal year a negative \$2.2 million. Federal Funds reflect current year plans for two-year grant awards.

## **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on April 9, 2019. All members were present with the exception of Regents Finn and Young.

## **Action Items**

### **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 9, 2019, copies of which have been distributed to each member of the Board of Regents.

### **Matters Not Requiring Board Action:**

**Proposed Amendment to §80-1.5 Related to the Extension of the Library Specialist edTPA Safety Net** - Your Committee reviewed and discussed a proposed regulatory amendment to extend the Library Specialist edTPA safety net expiration date to December 28, 2020 to give school library programs and candidates time to transition to the updated Library Specialist edTPA. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its July 2019 meeting. If adopted at the July 2019 meeting, the proposed amendment will become effective on July 31, 2019.

**Proposed Amendments to §52.21 and §80-2.1 Related to Certification Requirements for School Counselors and Program Registration Requirements for School Counseling Preparation Programs** - Your Committee discussed proposed regulatory amendments concerning the certification requirements for school counselors and the program registration requirements for school counseling preparation programs; including a one-year extension of the time period for institutions of higher education to meet the program registration requirements. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its July 2019 meeting. If adopted at the July 2019 meeting, the proposed amendment will become effective on July 31, 2019.

**Proposed Amendments to Sections 52.21, 57-2, 75.8, 80-1, 80-2, 80-3, 80-5, 80-6, 90.18, 100.2, 100.13, 100.15, 100.17, 100.19, 151-1, 154-2, and 200.2 of the Regulations of the Commissioner of Education and 30-1, 30-2, and 30-3 of the Rules of the Board of Regents Relating to Professional Development Plans and Other Related Requirements for School Districts and BOCES** - Your Committee discussed proposed amendments related to professional development requirements discussed at the September Board meeting in response to public comments. Based on these public comments, further changes are being made to the proposed amendments. As a result, a Notice of Revised Rulemaking will be published in the State Register on April 24, 2019. In accordance with the 30-day public comment period required under the State Administrative Procedure Act for revised rule makings, public comment will be received until May 24, 2019. Following the 30-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendments will be presented to the Board of Regents for adoption at its July 2019 meeting. If adopted at the July 2019 meeting, the proposed amendments will become effective on July 31, 2019.

#### **Matters Requiring Board Action:**

**Proposed Amendments to Sections 52.21 and 80-3.7 of the Regulations of the Commissioner of Education Relating to Student Teaching Requirements for Teacher Certification and the Registration of Teacher Preparation Programs** - Your Committee discussed whether the Board of Regents should approve the amendments to the Commissioner's Regulations relating to student teaching requirements for teacher certification and registration of teacher preparation programs and VOTED: that the Board of Regents approve the amendments to the Commissioner's Regulations relating to student teaching requirements for teacher certification and registration of teacher preparation programs. The proposed amendments will become effective on April 24, 2019.

**Proposed Amendment to Section 80-1.5 Related to the Extension of the Educational Technology Specialist Content Specialty Test Safety Net** - Your Committee discussed whether the Board of Regents should approve, as an emergency action, a proposed regulatory amendment to extend the Educational Technology Specialist Content Specialty Test (CST) safety net expiration date to until six months after the redeveloped Educational Technology Specialist CST is operational, and VOTED: that Section 80-1.5 of the Regulations of the Commissioner of Education be adopted, as an emergency action,

effective July 1, 2019, to ensure that the safety net becomes effective immediately, so candidates can be held harmless during the Department's redevelopment of the Educational Technology Specialist Content Specialty Test and while any necessary changes are made to such examination.

## **Consent Agenda**

The Board of Regents acted on the following consent agenda item at the April 2019 meeting.

- **Teacher's Retirement System (TRS) Appointments.** The Board of Regents approved the reappointment of Daniel J. Hogarty, Jr. to the NYS Teachers' Retirement System Board for an additional three-year term commencing May 1, 2019 and expiring May 1, 2022; and approved the appointments of Jennifer Longtin and Christopher Morin to the NYS Teachers' Retirement System Board for a three-year term commencing June 30, 2019 and expiring June 30, 2022.

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on April 8, 2019. All members were present.

### **ACTION ITEMS**

#### **Renewal Recommendations for Charter Schools Authorized by the Board of Regents [P-12 (A) 1]**

Your Committee recommends that the Board of Regents finds that, the Bronx Charter School for Children: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Bronx Charter School for Children and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2024.

Your Committee recommends that the Board of Regents finds that, the Williamsburg Charter High School: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students

expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Williamsburg Charter High School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2024.

Your Committee recommends that the Board of Regents finds that, the Amani Public Charter School: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Amani Public Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the Brooklyn Laboratory Charter School: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Brooklyn Laboratory Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the Discovery Charter School: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Discovery Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2021.

Your Committee recommends that the Board of Regents finds that, the Global Community Charter School: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Global Community Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the New York City Montessori Charter School: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the New York City Montessori Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the Renaissance Academy Charter School of the Arts: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Renaissance Academy Charter School of the Arts and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2021.

Your Committee recommends that the Board of Regents finds that, the Vertus Charter School: (1) 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 this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Vertus Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2021.

The motion passed. Regents Collins and Mittler abstained from the vote.

## **Revisions to Charters Authorized by the Board of Regents [P-12 (A) 3]**

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter 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 Evergreen Charter School and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter 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 Neighborhood Charter School of Harlem and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter 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 the New Visions Charter High School for Advanced Math and Science IV and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter 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 the New Visions Charter High School for the Humanities IV and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter 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 Unity Preparatory Charter School of Brooklyn and amends the provisional charter accordingly.

The motion passed. Regents Collins and Mittler abstained from the vote.

### **Renewal Recommendations for Charter Schools Authorized by the New York City Department of Education [P-12 (A) 4]**

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 Imagine Me Leadership 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, 2024.

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 Renaissance 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, 2024.

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 Peninsula Preparatory 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, 2024.

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 Dr. Richard Izquierdo Health and Science 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, 2022.

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 Metropolitan Lighthouse 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, 2022.

The motion passed. Regents Collins and Mittler abstained from the vote.

### **Renewal Recommendations for Charter Schools Authorized by the Buffalo Public Schools Board of Education [P-12 (A) 6]**

Your Committee recommends that the Board of Regents return the proposed charter for the Enterprise Charter School to the Buffalo Public Schools Board of Education for reconsideration with the following comments and recommendations: A charter term no longer than two years should be considered based on insufficient evidence of academic success by the applicant, the school's failure to meet the percentage of students with disabilities and English language learners when compared to the district of location, and failure to meet or exceed other Performance Framework benchmarks.

Your Committee recommends that the Board of Regents return the proposed charter for the Westminster Community Charter School to the Buffalo Public Schools Board of Education for reconsideration with the following comments and recommendations: A charter term no longer than two years should be considered based on insufficient evidence of academic success by the applicant, the school's failure to meet the percentage of students with disabilities and English language learners when compared to the district of location, and failure to meet or exceed other Performance Framework benchmarks.

The motion passed.

**Regulations of the Commissioner of Education Relating to Students with Disabilities [P-12 (A) 2]**

Your Committee recommends that subdivision (oo) of §100.2, subdivision (ppp) of §200.1 and subdivision (n) of §200.15 be added to the Commissioner's regulations and that subdivision (b) of §200.2, subparagraph (vi) of paragraph (2) of subdivision (c) of §200.2, subdivision (e) of §200.3, subparagraph (i) of paragraph (3) of subdivision (e) of §200.4, subdivision (i) of §200.4, paragraph (6) of subdivision (a) of §200.5, subparagraph (iii) of paragraph (1) of subdivision (b) of §200.4, subparagraph (i) of paragraph (3) of subdivision (j) of §200.5, paragraph (1) of subdivision (f) of §200.15, subdivision (g) of §200.15, paragraph 1 of subdivision (c) of §200.16, and paragraph (1) of subdivision (b) of §201.11 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 24, 2019. The motion passed.

**Commissioner's Regulations Relating to the Every Student Succeeds Act (ESSA) [P-12 (A) 5]**

Your Committee recommends that sections 100.2(ff), 100.2(m), 100.18, 100.19 and Part 120 of the Commissioner's Regulations be amended and that §100.21 be added to the Commissioner's Regulations, as submitted, effective April 13, 2019 as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of general welfare to ensure that the State's USDE approved ESSA plan can be implemented beginning with the 2018-2019 school year, consistent with the requirements set forth by the USDE and to ensure that the emergency rule adopted at the June Regents meeting, and subsequently revised at the September, November and December 2018 Regents meetings and again adopted as an emergency action at the February 2019 meeting, can remain continuously in effect until adopted as a permanent rule; and

Your Committee further recommends that sections 100.2(ff), 100.2(m), 100.18, 100.19 and Part 120 of the Commissioner's Regulations be amended and that §100.21 be added to the Commissioner's Regulations, as submitted, effective April 24, 2019; and

Your Committee further recommends that Department staff is directed to review New York's USDE-approved ESSA plan and to recommend to the Board of Regents any changes to such plan as may be necessary to ensure that the language in the plan reflects the regulations.

The motion passed.

**Regulations of the Commissioner Relating to Assessments and Student Official Transcripts and Permanent Records [P-12 (A) 7]**

Your Committee recommends that §104.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 15, 2019, 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 ensure that the proposed amendment is revised immediately to 3 timely implement the provisions of Section 30 of Part YYY of the 2019-2020 Enacted State Budget (S.1509-C/A.2009-C). The motion passed.

### **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 9, 2019, copies of which have been distributed to each Regent.

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

**ESSA Financial Transparency Requirement [P-12 (D) 1]** – Your Committee was presented with an overview of the implementation of the Every Student Succeeds Act Financial Transparency Requirement. Over the past twelve months, the Department has undertaken a rigorous approach of outreach to stakeholders to develop a report template and uniform guidance in submitting expenditure data. Preliminary guidance will be published later this spring with a comment period in place for school districts to review and recommend amendments and improvements. Final guidance will be issued following that period, with all reporting expected to be completed by early 2020.

### **Consent Agenda**

The Board of Regents will take action on the following consent agenda items at their April 9, 2019 meeting.

- BOR Authorized Revision to the Roslyn Yalow Charter School.
- Petition of the City School District of the City Oswego for Consent to Exceed the Constitutional Debt Limit.
- Petition of the City School District of the City of Utica for Consent to Exceed the Constitutional Debt Limit.

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

Your P-12 Education and Higher Education Committees held their scheduled meeting on April 8, 2019. All members were present.

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

**Perkins V State Plan Development [P-12/HE (D) 1]** – the Committee was provided with an update on the development of New York State's Perkins V Plan as required in the Carl D. Perkins Career and Technical Education Act of 2006 as amended by the Strengthening Career and Technical Education for the 21st Century Act of 2018. Efforts are underway in

the development of New York's one-year transition plan, due to the U.S. Department of Education (USDE) on May 24, 2019. The transition plan will outline priority areas to be developed in consultation with general and career and technical educators, child welfare, workforce development, business and industry groups, and other community stakeholders. After consultation with these groups, the New York Perkins V Four-Year Plan will be developed for submission to USDE in the Spring 2020. Staff will provide data to the Regents as requested.

**Regulations of the Commissioner of Education Related to Requiring Study in Language Acquisition and Literacy Development of English Language Learners in Certain Teacher Preparation Programs and in the Individual Evaluation Pathway to Certification for Certain Certificate Titles [P-12/HE (D) 2]** – the Commissioner discussed regulations related to requiring study in language acquisition and literacy development of English language learners in certain teacher preparation programs and in the individual evaluation pathway to certification for certain certificate titles. The proposed regulations require teacher preparation programs in certain subject areas to provide at least three semester hours of study in language acquisition and literacy development of ELLs and at least three semester hours of study in language acquisition and literacy development of all students. The total required semester hours on language acquisition and literacy development would remain the same at six semester hours in §52.21. However, this revision ensures that at least three of the currently required six semester hours in language acquisition and literacy development are dedicated to the language acquisition and literacy development of ELLs. It is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its September 2019 meeting.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on April 9, 2019. All members were present except Regent Josephine Victoria Finn. Chancellor Betty A. Rosa, Regent Nan Eileen Mead and Regent Kathleen M. Cashin were also present but did not vote on any case or action.

## **ACTION ITEMS**

### **Professional Discipline Cases**

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 1 case. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 36 consent order applications and 6 surrender applications be granted.

These recommendations are made following the review of 43 cases involving nine licensed practical nurses, nine registered professional nurses, four licensed practical nurses who are

also registered professional nurses, four pharmacists, two chiropractors, two licensed mental health counselors, two pharmacies, one architect, one certified public accountant, one dental hygienist, one massage therapist, one professional engineer, one public accountancy partnership, and one veterinarian.

### **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 9, 2019, copies of which have been distributed to each Regent.

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

Your Committee discussed several topics of interest, including:

- Deputy Commissioner's Report/Update
- Full Board Consent Agenda Items
- Board (Re)Appointments
- Licensing Petitions
- Master Plan Amendment – Lehman DNP in Nurse Practitioner and Pediatric Nurse Practitioner
- Degree Authorization – SUNY Downstate Medical Center, DNP Degree
- Master Plan Amendment – SUNY Downstate Medical Center, M.S. in Applied Behavior Analysis
- Proposed Amendment to §§63.4 and 63.9 of the Regulations of the Commissioner of Education Relating to Administration of Vaccinations by Pharmacy Interns (second emergency action)

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

**Motion by:** Regent Kathleen M. Cashin

**Seconded by:** Regent Christine D. Cea

**Action:** Motion carried unanimously.

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

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

**Motion by:** Regent Roger Tilles

**Seconded by:** Regent Susan W. Mittler

**Action:** Motion carried unanimously.

## **ACKNOWLEDGEMENTS**

### **New York State Superintendent of the Year**

Regent Susan W. Mittler and Commissioner Elia acknowledged Dr. Jason Andrews for being named Superintendent of the Year. He serves as superintendent at the Windsor Central School District. Dr. Andrews briefly addressed the Board.

Chancellor 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)
Black Rock Historical Society	CE	Erie (Buffalo)	Amend charter to change the corporate address to 1902 Niagara Street, Buffalo, NY 14207 and grant an absolute charter.
Fort Ann Historical Society	CE	Washington (Fort Ann)	Amend charter to change the corporate address to PO Box 261, Fort Ann, NY 12827.
Hendrick Hudson Free Library	CE	Westchester (Montrose)	Amend charter to specify the trustee term length to be three years and to update the IRS dissolution language.
Hip Hop Hall of Fame	CE	New York (New York)	Extend provisional charter for five years.
Middleburgh Library	CE	Schoharie (Middleburgh)	Amend charter to: <ul style="list-style-type: none"> <li>▪ specify the trustee term length to be three years;</li> <li>▪ authority to establish, conduct maintain and operate a museum;</li> <li>▪ designate Commissioner as agent for service; and</li> <li>▪ update IRS dissolution language.</li> </ul>
The North Shore Historical Museum	CE	Nassau (Glen Cove)	Grant an absolute charter.
Seaport Museum New York	CE	New York (New York)	Consent to filing of certificate of assumed name "South Street Seaport Museum".
Your Home Public Library of Johnson City	CE	Broome (Johnson City)	Amend charter to: <ul style="list-style-type: none"> <li>▪ specify the number of trustees to be not less than seven nor more than eleven;</li> <li>▪ designate the library's service area to be coterminous with the Village of Johnson City;</li> <li>▪ change the corporate name to "Your Home Public Library";</li> <li>▪ designate Commissioner as agent for service; and</li> <li>▪ update IRS dissolution language.</li> </ul>

Ave Maria Catholic Academy	P12	Queens (Howard Beach)	Amend charter to change the corporate name to "Our Lady of Grace Catholic Academy of Howard Beach" and extend provisional charter for three years.
Big Apple Educational Center	P12	Kings (Brooklyn)	Dissolve charter and approval to store student records with Big Apple Institute, Inc. at 503-507 Lake Street, Brooklyn, NY 11223 and 2937 86th Street, Brooklyn, NY 11223.
The Martin De Porres School for Exceptional Children	P12	Queens (Springfield Gardens)	Amend charter to extend (five years) the authority for the corporation to care for and board out destitute, delinquent, abandoned, abused, neglected, runaway or dependent children.
Most Holy Redeemer Catholic Academy	P12	Queens (Flushing)	Amend charter to change the corporate name to "St. Michael Catholic Academy" and extend provisional charter for three years.
Rochester Classical Academy	P12	Monroe (Rochester)	Grant provisional charter for three years.
Elyon College	HE	Kings (Brooklyn)	Grant an absolute charter.
Houghton College	HE	Allegany (Houghton)	Amend charter to add authority to confer the Master of Business Administration (M.B.A.) degree.

## **Appendix II**

### **REGENTS ACTIONS IN 43 PROFESSIONAL DISCIPLINE CASES**

**April 8 - 9, 2019**

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 6 licenses and 36 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

#### **I. REVOCATION AND SURRENDERS**

##### **Chiropractic**

David J. Sewert; Chiropractor; Newark, NY 14513; Lic. No. 001962; Cal. No. 31062; Application to surrender license granted. Summary: Licensee did not contest charges of practicing with moral unfitness and utilizing a treatment technique which is not permitted in New York State.

##### **Mental Health Practitioner**

Charles R. Grefer; Licensed Mental Health Counselor; Spencerport, NY 14559-1323; Lic. No. 001258; Cal. No. 30391; Found guilty of professional misconduct; Penalty: Revocation.

##### **Nursing**

Christine Elizabeth Matanes; Licensed Practical Nurse; Little Falls, NY 13365; Lic. No. 306655; Cal. No. 30594; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to complete continuing education.

Melody L. Williams-Destra; Licensed Practical Nurse; Bloomfield, CT 06002-3212; Lic. No. 270457; Cal. No. 31035; Application to surrender license granted. Summary: Licensee admitted to the charge of practicing the profession of nursing fraudulently in Connecticut.

Deborah Ann Bercier; Licensed Practical Nurse; North Babylon, NY 11703; Lic. No. 200976; Cal. No. 31065; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Falsifying Business Records in the 1st Degree, a class E felony; Criminal Possession of a Controlled Substance in the 7th Degree, a class A misdemeanor; and Petit Larceny, a misdemeanor.

Asmeret Tesfagiorgis Yohannes; Licensed Practical Nurse; Rochester, NY 14615; Lic. No. 315304; Cal. No. 31104; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted of Petit Larceny.

Kristina Marie Calamusa; Licensed Practical Nurse; Dunedin, FL 34698-5420; Lic. No. 303170; Cal. No. 31136; Application to surrender license granted. Summary: Licensee admitted to the charge of revealing personally identifiable facts, data or information obtained in a professional capacity without the prior consent of the patient or client, except as authorized or required by law, in the State of Florida.

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

### **Architecture**

Karl Frizlen; Architect; Buffalo, NY 14213; Lic. No. 019958; Cal. No. 30801; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$7,500 fine.

### **Chiropractic**

Mary Elizabeth Love; Chiropractor; Ballston Lake, NY 12065; Lic. No. 006419; Cal. No. 30845; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

### **Dentistry**

Barbara L. Pfeffer-Westbrook; Dental Hygienist; Clifton Springs, NY 14432-1158; Lic. No. 019899; Cal. No. 30864; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation to commence upon return to practice, \$500 fine.

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

Jianxiong Wang; Professional Engineer; Livingston, NJ 07039-1407; Lic. No. 087378; Cal. No. 30833; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$7,500 fine.

### **Massage Therapy**

Kim Mai Tran; Massage Therapist; Tarrytown, NY 10591; Lic. No. 026417; Cal. No. 30871; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

### **Mental Health Practitioner**

Kara Marie Muchard; Licensed Mental Health Counselor; Farmington, NY 14425-9111; Lic. No. 006021; Cal. No. 30721; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

## **Nursing**

Sandra Marie Conklin; Licensed Practical Nurse, Registered Professional Nurse; Dryden, NY 13503; Lic. Nos. 214509, 581282; Cal. Nos. 29666, 29667; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Sherry Lynn Osborne; Registered Professional Nurse; Rochester, NY 14624; Lic. No. 693808; Cal. No. 30459; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Sean Thomas Roney; Licensed Practical Nurse; Utica, NY 13501; Lic. No. 310965; Cal. No. 30567; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Rose Marie Schenkel; Licensed Practical Nurse; Downsville, NY 13755; Lic. No. 305671; Cal. No. 30582; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$250 fine.

Latesha Anntanett Winters; Licensed Practical Nurse, Registered Professional Nurse; Newburgh, NY 12550; Lic. Nos. 275571, 567824; Cal. Nos. 30675, 30676; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

Bonnie June Doyle; Registered Professional Nurse; Long Beach, NY 11561; Lic. No. 692003; Cal. No. 30794; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Jamie Lynn Thomson; Registered Professional Nurse; Cowlesville, NY 14037; Lic. No. 659667; Cal. No. 30806; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Micheline Napoleon; Licensed Practical Nurse, Registered Professional Nurse; Baldwin, NY 11510; Lic. Nos. 208565, 430799; Cal. Nos. 30819, 30820; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Julianah Bamidele Olowokere a/k/a Julianah Bamidele Davies; Registered Professional Nurse; Hamilton, NJ 08610-5602; Lic. No. 451109; Cal. No. 30835; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 3 months and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Corazon Francisco Soriano; Registered Professional Nurse; New Hyde Park, NY 11040; Lic. No. 432324; Cal. No. 30842; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Kenneth Charles Hadad a/k/a Kenneth Hahad; Licensed Practical Nurse, Registered Professional Nurse; Greenville, NY 12083; Lic. Nos. 238790, 478313; Cal. Nos. 30854, 30855; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 1 month and until successful participation in course of therapy and treatment and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Alisha Ann Norwood; Licensed Practical Nurse; South New Berlin, NY 13843; Lic. No. 308318; Cal. No. 30856; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Tiffany M. Gustafson; Registered Professional Nurse; Livingston Manor, NY 12758; Lic. No. 619548; Cal. No. 30880; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Corrine Anne LeBlanc; Registered Professional Nurse; Groton, NY 13073; Lic. No. 577681; Cal. No. 30881; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Duane Joel Powers; Registered Professional Nurse; Broadalbin, NY 12025; Lic. No. 464218; Cal. No. 30885; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Chekesha J. Porter; Registered Professional Nurse; Pearland, TX 77584; Lic. No. 564466; Cal. No. 30915; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 1 month and until successful participation in course of therapy and treatment and until fit to practice, upon return to practice in the State of New York, 2 years probation, \$500 fine.

Peter S. Novellino; Licensed Practical Nurse; Farmingdale, NY 11735-4417; Lic. No. 293492; Cal. No. 30925; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

## **Pharmacy**

John Joseph Lotito, Jr.; Pharmacist; Staten Island, NY 10306-2134; Lic. No. 037295; Cal. No. 30649; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 months stayed suspension, 1 year probation, \$5,000 fine.

Christina Lauren Loeffler; Pharmacist; Farmingdale, NY 11735; Lic. No. 058584; Cal. No. 30734; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Rely Rx, Inc.; Pharmacy; St. James, NY 11780; Reg. No. 033358; Cal. No. 30735; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Wanas Aniss Hana Khalil; Pharmacist; Whitestone, NY 11357; Lic. No. 048122; Cal. No. 30775; Application for consent order granted; Penalty agreed upon: 1 year probation, \$20,000 fine.

Dimitrios Dakis; Pharmacist; Bayside, NY 11361; Lic. No. 034028; Cal. No. 30776; Application for consent order granted; Penalty agreed upon: 1 year probation, \$5,000 fine.

Queens Express Pharmacy Corp.; Pharmacy; Jackson Heights, NY 11372; Reg. No. 028747; Cal. No. 30777; Application for consent order granted; Penalty agreed upon: 1 year probation, \$20,000 fine.

### **Public Accountancy**

Tamas Bela Revai; Certified Public Accountant; New York, NY 10036; Lic. No. 027854; Cal. No. 30817; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain areas until successfully complete course of retraining in said certain areas, following termination of partial actual suspension, 2 years probation.

PricewaterhouseCoopers, LLP; Public Accountancy Partnership; New York, NY 10017; Reg. No. 036148; Cal. No. 30866; Application for consent order granted; Penalty agreed upon: \$10,000 fine.

### **Veterinary Medicine**

John Henry Cooley; Veterinarian; Marcy, NY 13403; Lic. No. 011993; Cal. No. 30823; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.



New York State  
EDUCATION DEPARTMENT

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Knowledge > Skill > Opportunity

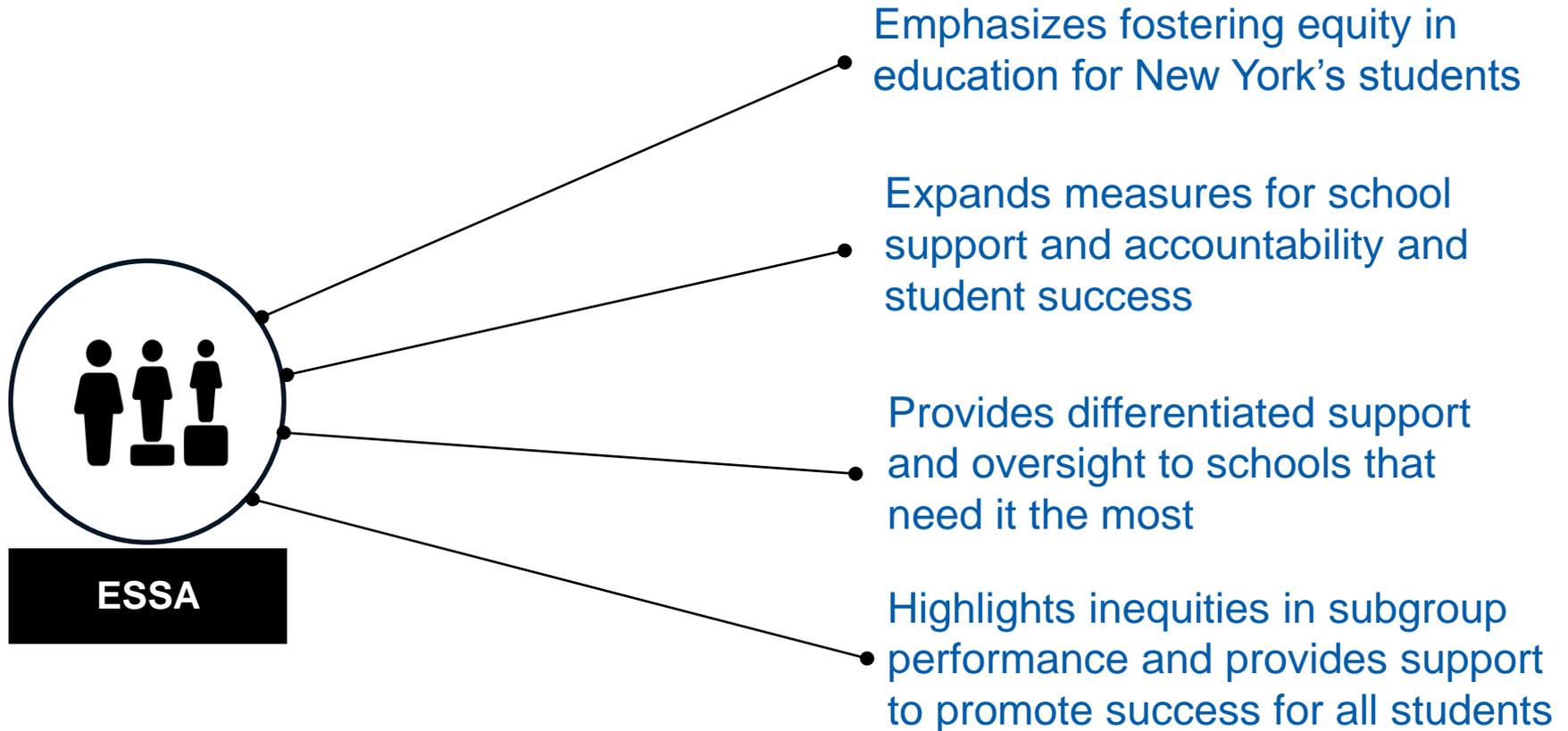
# Update on ESSA Implementation

Presented to the Board of Regents

April 2019

**ATTACHMENT I**

# ESSA is Equity



New York State is committed to ensuring that all students succeed in school no matter who they are, where they live, where they go to school, or where they come from.

# ESSA is Equity

## MORE THAN AN ACCOUNTABILITY SYSTEM

### EDUCATORS



- Implement strategies to support the professional growth of teachers and school leaders
- Address disparities in training to increase classroom effectiveness

### SCHOOLS



- Increase fiscal transparency in school building spending

### ALL STUDENTS



- Provide access to a well-rounded, culturally responsive and sustaining education that supports students' academic and social-emotional development
- Provide more access to rigorous high school coursework

# NY's ESSA Plan Focus

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The plan, developed over two years, and with extensive consultation with stakeholders across the state, seeks to support schools to ensure that:

- Positive school environments are culturally responsive and sustaining.
- Instruction is emphasized in the core subjects, not just in language arts and mathematics.
- All students have opportunities for rigorous coursework.
- Students who need 5 and 6 years to graduate are given continued support.
- Students graduate high school ready for college, careers, and participation in civic life.

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# ESSA is Support for Student Social, Emotional, and Developmental Health

# Positive School Climate Framework



- Promoting a Safe & Supportive School Climate
  - Continue school climate surveys in the 2018-19 school year with more than 100 districts and charter schools participating in the pilot.
- Embedding Social Emotional Learning (SEL) into Academics
  - Issued Social Emotional Learning Framework that explains SEL concepts and the need for and benefit of SEL in NY.
- Supporting Social Emotional Health in the Early Years
  - In partnership with the NYS Office of Mental Health and the Mental Health Association of NYS, developed curricula and professional learning opportunities for school staff.
- Implementing Restorative Practices, including Alternatives to Suspension
  - Provided multi-day professional learning opportunities in Restorative Practices.
- Creating Trauma-Sensitive Schools
  - 1 out of 4 children has been exposed to a traumatic event that can affect learning and/or behavior.
- Emphasis on Whole School, Whole Community, Whole Child Model

# Culturally Responsive-Sustaining Education

- Provide continual professional development in the areas of equity, anti-bias, multicultural, and **culturally responsive** pedagogies.
- Support districts and their communities in engaging in critical conversations about **culturally responsive** educational systems.
- Promote a relationship of trust, **cultural responsiveness**, and respect between schools and families, recognizing that student achievement and school improvement are shared responsibilities.
- Recognize the effect of school environment on student academic performance and support efforts to improve the climate of all schools.

## Journey Forward: the Culturally Responsive-Sustaining (CR-S) Framework.



- ✓ Creating resources that complement the CR-S framework and support educators in implementing tangible, culturally responsive-sustaining practices in their respective school communities.
- ✓ The resources offer tools and examples for practice at the classroom, school, and community level.

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# ESSA is Support for a Well-Rounded Education

# Civic Readiness Task Force

The Civic Readiness Task Force is:

- ✓ Researching best practices already happening in schools across NYS
- ✓ Developing an effective practices rubric that can be used as a tool to help schools become more democratic
- ✓ Working on a methodology to recognize “Schools of Civic Readiness”

The Task Force will be making recommendations to the Board of Regents regarding:

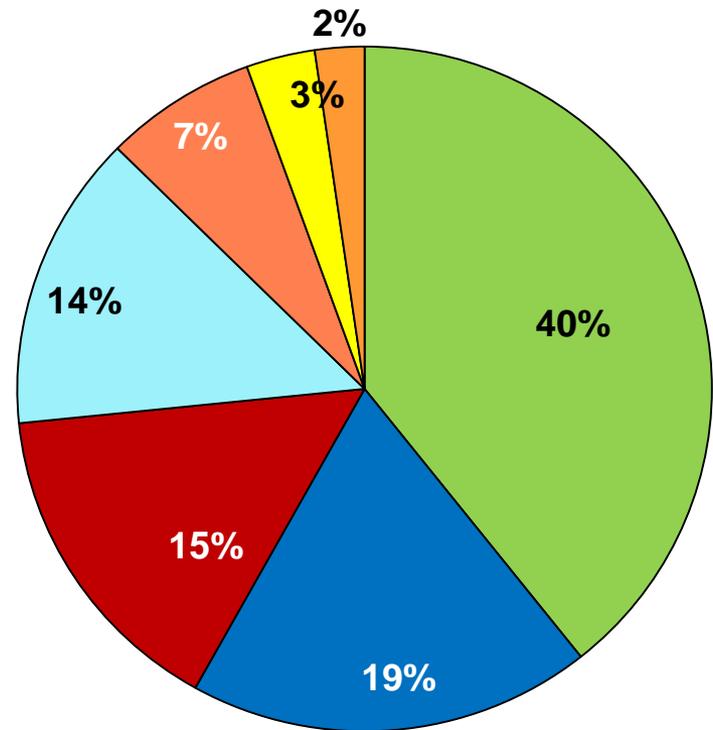
1. Definition of Civic Readiness.
2. Criteria for the Seal of Civic Readiness.
3. Creation of Capstone/Portfolio Based Assessments.
4. Recognizing districts that demonstrate excellence in civic readiness through democratization of policies and practices.

School Year	
September 2019	Presentation to Board of Regents on Social Studies CAP
2020-2021	Pilot of the Seal of Civic Readiness initiative
2021-2022	Full implementation of the Seal of Civic Readiness

# Pathways to Graduation

❖ This year, school districts reported that more than 11,200 students earned a diploma through one of the new pathways. This is a 13-percent increase over last year.

❖ Note: some students may have met the requirements to earn a diploma in more than one pathway. Each student is only reported as completing one pathway so they are not counted as graduating more than once.



■ STEM Science                      ■ STEM Math  
■ CTE                                      ■ CDOS  
■ Humanities Alternative          ■ Arts

# Identifying Opportunity Gaps

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To ensure equity across the state, we need to increase opportunities to support success for students.

Part of this effort will be to explore which schools offer opportunities for:

- Multiple graduation pathways
- Participation in My Brother's Keeper programs
- Access to high level coursework
- Early College High School programs
- PTECH programs

# Title IV Grants

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The State Education Department awarded \$28.5 million in Student Support and Academic Enrichment (SSAE) grants to 38 school districts.

The SSAE program is intended to help districts, schools, and communities:

1. Provide students with access to a well-rounded education.
2. Improve school conditions for student learning.
3. Improve the use of technology to lift the academic achievement and digital literacy of all students.

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# ESSA is Support for Excellent Educators

# Supporting Evidence-based Instructional Practices

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Evidence shows that clinical preparation is

- A key factor in teacher retention.
- Related to positive effects on student outcomes.

To support implementation of ESSA, the Department is in the process of recommending to the Board of Regents the following amendments to Commissioner's Regulations:

- Extend Student Teaching from current minimum of 40 days to at least 14 weeks.
- Require Institutions of Higher Education (IHE's) to develop MOUs or similar collaborative agreements with their P-12 partners.
- Have programs provide candidates with opportunities to practice teaching skills identified in the New York State Teaching Standards.
- Expect school-based and university-based teacher educators to have 3 years of teaching experience and engage in professional learning focused on providing effective clinical supervision.

# Supporting Aspiring School Building Leaders

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## ❖ P-20 Principal Preparation Pilot Partnerships:

- ❖ Six (6) districts received funding: Buffalo, Mt. Vernon, NYC, Rochester, Syracuse, and Yonkers.
- ❖ Each district has partnered with an Institution of Higher Education and an organization experienced in leadership development.
- ❖ Partners collaboratively develop and implement a competency-based program leading to School Building Leader (SBL) certification.
- ❖ All three (3) partners must sign off on candidate readiness before candidate can receive SBL.

## ❖ Turnaround School Leader Pilots:

- ❖ Two (2) pilots: CUNY/Hunter College and University at Buffalo, in partnership with local school districts and organizations experienced in leadership development.
- ❖ Partners collaboratively develop & implement a competency-based program to train current principals and assistant principals to lead struggling schools (“turnaround” leaders).

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# ESSA is Support for Students Placed At-Risk

# Supports for Students Placed At Risk

## Homeless Students:

### Amended Education Law § 3209 and Commissioner's Regulation 100.2(x) (2017)

- School stability protections
- Best interest decision-making
- Updated requirements regarding coordination between school districts and local departments of social services regarding transportation
- Transportation requirements for remainder of the school year, terminal grade, summer school, and extracurricular activities
- Updated dispute resolution process
- Enhanced privacy
- Expanded responsibilities of the McKinney-Vento liaison

## Students in Foster Care:

### New Education Law §3244 (2018)

- Presumption to stay in school of origin
- Best interest determinations
- Immediate enrollment, even without documentation
- Transportation must be arranged, provided, and funded
- School District Foster Care Points of Contact

- ✓ *Points of Contact List Posted 2018*
- ✓ *Foster Care Transportation Toolkit August 2018*
- ✓ *Statewide Training October 2018*

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# ESSA is Support for English Language/Multilingual Learners

# Improvements in Services to Multilingual and English Language Learners

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- I. Multilingual Learner (MLL)/English Language Learner (ELL) Program Quality Review and Reflective Protocol Toolkit
  - Designed for Targeted Support and Improvement Schools identified for the performance of MLLs/ELLs to assess the program quality of a school and determine a school's current level of implementation of school-wide practices that support MLLs/ELLs.
- II. MLL/ELL Data Interface
  - Collects data from the English Language Proficiency (ELP) Accountability Indicator, Title III reporting, state assessment outcomes, and student demographic files
  - Assists districts in evaluating and monitoring the progress of their MLLs/ELLs as well as making instructional decisions to meet the academic needs of MLLs/ELLs.
- III. Alternate English Language Proficiency Assessment Project (Alt-ELPA)
  - Development of an alternate ELP assessment for MLLs/ELLs with severe cognitive disabilities.
- iv. Eighteen IHE's participate in Clinically-Rich Intensive Teacher Institute (CR-ITI) programs that certifies candidates in English to Speakers of Other Languages (ESOL) and/or Bilingual Education (BE) Extension.

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# ESSA is Support for Differently Abled Students

# Supporting Districts to Systemically Improve Special Education Outcomes

**Special education target areas align to the multiple measures of success to advance equity through ESSA**

## Performance

### Early Childhood Indicators:

- Positive social-emotional skills
- Acquisition and use of knowledge and skills
- Use of appropriate behaviors

### School-age Indicators:

- Graduation and Drop-Out Rates
- Participation and Proficiency in State Assessments
- Post-school employment or enrollment in postsecondary school

## Disproportionality

### Address equity and access through systemic action to:

- Identify the root cause(s) of the problem
- Implement school-wide approaches and pre-referral interventions
- Evaluate and monitor policies, procedures and practices in the identification, classification, placement and suspension of students by race and ethnicity

## Least Restrictive Environment

### Access and participation in high quality inclusive classrooms and activities:

- high expectations for achievement for all students
- research/evidence-based services and supports are used to foster cognitive, physical, and social-emotional development

## Transition Planning and Services

### Fostering college and career-readiness:

- Work-based learning experiences
- Job exploration counseling
- Counseling on postsecondary options
- Workplace readiness training
- Instruction in self-advocacy

# Superintendent Determinations for Local Diplomas

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- Allows a superintendent (or the principal/head of school of a registered nonpublic school or charter school) to make a local determination that a student with a disability has otherwise met the standards for graduation with a local high school diploma when such student has not been successful because of his/her disability at demonstrating his/her proficiency on one or more of the Regents examinations required for graduation.

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# ESSA is Fiscal Transparency and Support for Data Access

# New York State Report Card

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- ❖ Supports Board of Regents' effort to raise learning standards for all students.
- ❖ Provides aggregated information to the public on school/district staff, students, and measures of school and district performance as required by ESSA.
- ❖ Knowledge gained from the report card on a school's or district's strengths and weaknesses can be used to improve instruction and services to students.

New information will be included on:

- ✓ Assessment results for homeless students, students in foster care, and military connected youth
- ✓ Measures of school quality, climate, and safety
- ✓ Enrollment in pre-K programs
- ✓ Enrollment in AP, IB, and dual enrollment courses
- ✓ Teacher and principal experience
- ✓ Teacher certification
- ✓ National NAEP results
- ✓ Expenditures per pupil

# Parent Dashboard Initiative

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As part of New York's ESSA plan, the New York State Education Department (NYSED) is developing a Parent Dashboard to:

- Increase transparency of school-level information;
- Make school-level information easier for parents and the public to understand;
- Provide the opportunity to increase involvement through increased understanding; and,
- Allow parents to advocate for their children, schools, and education.

# What is the Financial Transparency Requirement?

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ESSA requires that beginning with data from the 2018-19 School Year, State Report Cards must include:

***“The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual non-personnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.”***

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# ESSA is Support for Identified Schools and Districts

# Vision for School Improvement

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*“The State’s role in School Improvement will be rooted in helping schools identify and implement the specific solutions that schools need to address their specific challenges.”*

- New York State’s ESSA PLAN, page 79

**School Improvement is a Partnership**

## State’s Role in Supporting School Improvement

- **Help schools identify and implement the specific solutions that address their specific challenges.**
- **Support schools differently based on their improvement strategies and the extent of gains over time.**
- **Provide more support to schools’ improvement efforts.**

# Overview: Needs Assessment Process

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To move towards school-specific solutions, the State Education Department works with schools to understand how they currently operate and provide schools with feedback and guidance to support their improvement efforts.

The Diagnostic Tool for School and District Effectiveness (DTSDE) process involves a team visiting the school, speaking to stakeholders, and working closely with the principal to provide technical assistance.

## Team Members Include:

- NYSED Representative
- Outside Educational Expert
- District Representative
- Special Education specialist
- Bilingual Education specialist

# DTSDE: A Collaborative Process

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Feedback consists of three components:

1. Guidance provided at the end of the visit.
2. Technical Assistance offered where appropriate throughout the visit.
3. Full report identifying areas that can be improved and could be considered for the school's annual improvement plan. The report also includes a section that captures stakeholders' perspectives of areas of need.

The Department is working in partnership with schools.

- Joint classroom visits with principal.
- Technical assistance offered where appropriate while on-site.
- Next steps provided at the end of the visit include ideas informed by discussions with students, staff, and parents.

These are developed with the principal and agreed to by the principal.

# What the Field Says About DTSDE

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Since 2016, NYSED has surveyed principals following their DTSDE visit to monitor implementation and ensure that the field is finding the process to be beneficial. Below are the results of the principal surveys completed by 176 principals following their DTSDE visit:

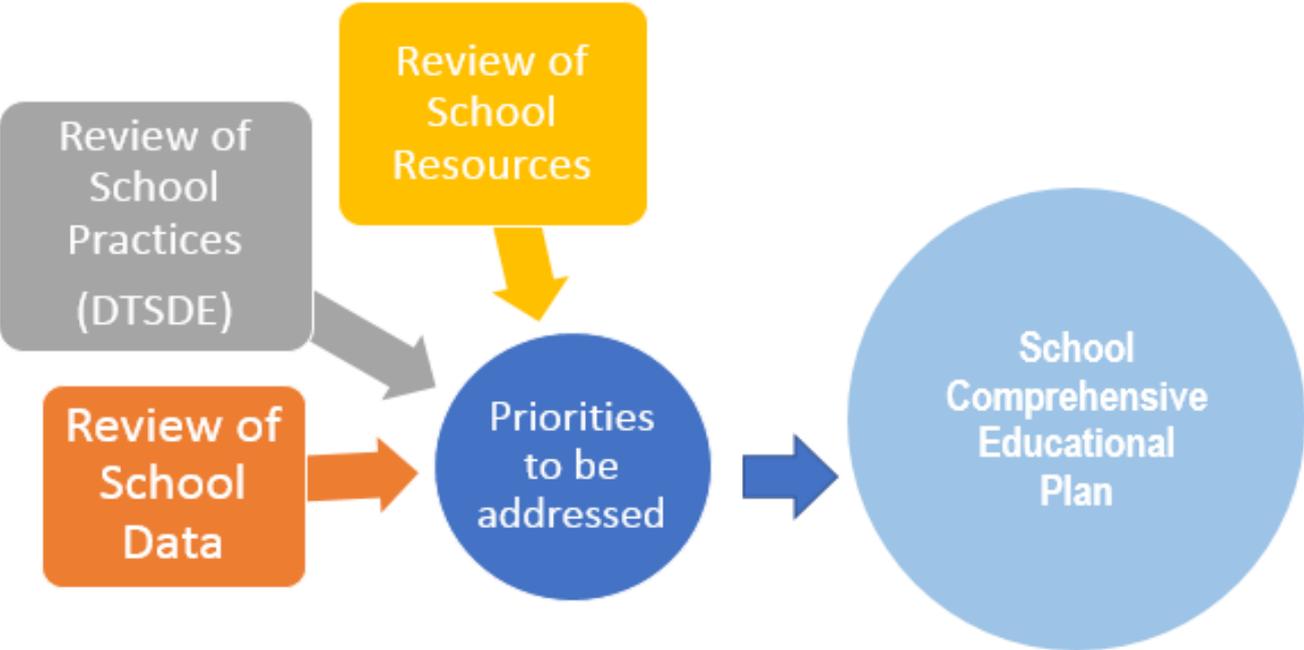
- **91%** of principals gave the highest or second highest score when asked if they could use these recommendations to move the school forward.
- **88%** of principals indicated they had a clear understanding about the team's rationale behind the recommendations, and how this rationale is based on the evidence generated during the visit.
- **82%** of principals indicated that they felt their input with the final recommendations had been taken into consideration “to a great extent.”
- **80%** of principals gave the highest or second highest score when asked if the process was successful in providing technical assistance and deepening their understanding of their school.

The process has been modified slightly this year to ensure that it is more responsive to the needs of schools and ensure that schools find the guidance to be suitable and achievable. As a result, some additional survey questions have been added to the principal survey. Of the 42 principals who have completed a survey following their 2018-19 visit:

- **88%** of principals indicated that they felt the process was responsive to their needs.
- **88%** of principals indicated that the feedback left will be things the school will be successful at completing.

# Connection to Annual Improvement Plan

The DTSDE on-site Needs Assessment is one part of a larger reflection of school needs that is done when developing the annual School Comprehensive Education Plan (SCEP).



# Collaborative Problem-Solving Leads to School Improvement

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Parents, Students, and Staff of identified schools surveyed annually

Parents, Student, and Staff focus groups through the DTSDE process

Increased Stakeholder Involvement in Development of School and District Improvement Plans:

- CSI plans will not be approved without documentation that stakeholders, including students, have been involved.
- TSI schools must involve representatives from identified subgroups.

Increased Flexibility in Strategies for School and District Improvement:

- Schools and districts have flexibility to align their priorities toward specific goals.
- Schools are now expected to schedule their activities sequentially and identify what success will look like midyear.

# Funding to Support Required Interventions

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**Each newly identified Target District, Comprehensive Support and Improvement (CSI) school, and Targeted Support and Improvement (TSI) school will receive Title I School Improvement funds in 2018-19.**

**2018-19 Funds are intended to support required activities including, but not limited to:**

- Surveying teachers, parents, and students;
- Providing increased opportunities for collaboration, with allowable expenses including 1) stipends for staff to collaborate on the development of the school improvement plan; 2) child care costs to promote parent participation in the development of the plan; and 3) translation costs to promote parent participation in the development of the plan;
- Participation in Target District Institutes;
- Participation in Regional Training for Schools Receiving NYSED-led DTSDE support visits;
- Participation in the DTSDE review process and/or needs assessment; and
- Accelerated implementation of improvement plan activities in current year.

NYSED plans to award additional improvement funds in 2019-20 to support the implementation of identified school improvement activities.

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# ESSA is Support for All Students

# Broad Reach of Title Funds Under ESSA

Fund Source	Fund Description	2018-2019 Allocation
Title I, Part A	Improving Basic Programs Operated by LEAs	\$1,213,916,824
Title I School Improvement	Supports for Comprehensive Support and Improvement Schools (CSI), Targeted Support and Improvement Schools (TSI), and Target Districts	\$84,974,179
Title I, Part B	State Assessment	\$14,547,220
Title I, Part C	Migrant Education	\$7,943,109
Title I, Part D	Neglected and Delinquent Education	\$2,442,622
Title II, Part A	Supporting Effective Instruction	\$157,360,601
Title III, Part A	Language Instruction for English Language Learners and Immigrant Students	\$56,816,372
Title IV, Part A	Student Support and Academic Enrichment	\$84,067,644
Title IV, Part B	21 <sup>st</sup> Century Community Learning Centers	\$91,940,576
Title V, Part B	Rural Education Achievement Program	\$2,253,651
McKinney-Vento	Education for Homeless Children and Youth	\$6,461,653

**\$1.64 BILLION Total**

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# ESSA Implementation

NEXT STEPS towards *ensuring that all students succeed in school no matter who they are, where they live, where they go to school, or where they come from.*