



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** The Honorable the Members of the Board of Regents

**FROM:** Tony Lofrumento *Anthony Lofrumento Jr.*

**SUBJECT:** Summary of the April 2020 Meeting

**DATE:** April 23, 2020

**AUTHORIZATION(S):** *Shannan L. Tahoe*

## SUMMARY

### Issue for Decision

Should the Board of Regents approve the Summary of the April 2020 Meetings of the Board of Regents?

### Reason(s) for Consideration

Not applicable.

### Proposed Handling

This issue will come before the Full Board for action at its May 2020 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.

### Background Information

Not applicable.

### Related Regents Items

Not applicable.

## **Recommendation**

Approval of the Summary of the April 2020 meetings.

**VOTED**, that the Summary of the April 2020 Meetings of the Board of Regents of The University of the State of New York be approved.

## **Timetable for Implementation**

Effective May 4, 2020.



**SUMMARY OF THE APRIL 2020 MEETING**

**OF THE BOARD OF REGENTS**

**OF**

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

***Held by Conference Call***

***April 6, 2020***

***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 by conference call on Monday, April 6, 2020 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, April 6<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  
Beverly L. Onderkirk  
Catherine Collins  
Nan Eileen Mead  
Elizabeth S. Hakanson  
Luis O. Reyes  
Susan W. Mittler  
Frances G. Wills

Also present were Interim Commissioner, Shannon L. Tahoe; Acting Counsel and Deputy Commissioner for Legal Affairs, Aaron Baldwin; and, Secretary, Board of Regents, Anthony Lofrumento.

Chancellor Rosa called the meeting to order and went over the ground rules for the call. She went on to take attendance and welcome the newest member of the Board, Frances G. Wills. She also congratulated Regent Tilles, Regent Young, Regent Cashin, Regent Ounderkirk and Regent Collins on their reappointment to the Board.

Chancellor Rosa then provided the following words of reflection in response to the Coronavirus/COVID-19 epidemic:

*“Every generation experiences its own, unique challenges. But it seems like our generation has had more than our fair share. The challenges we face right now are great and they are formidable. But we are facing them together – united like we’ve never been before.*

*This pandemic has revealed just how interconnected we are and how much we rely upon one another. Everywhere you turn, you see people engaged in the most beautiful acts of kindness and generosity. It's these countless acts of selflessness that will save us from this pandemic – and, ultimately, will make us a stronger people.*

*I'd like to take a moment to recognize the Governor and his incredible staff. Governor Cuomo's leadership throughout this crisis has been a national model.*

*And, of course, I have to thank and recognize the extraordinary bravery and sacrifice of our first responders throughout the State. Just think about the life lessons that our children are learning, in real time, from these genuine heroes. It gives me hope for our future.*

*I also have to recognize the tireless work of our own NYSED leadership and staff during this time. Thank you Interim Commissioner Tahoe, and thank you to our NYSED staff, and thank you to all of the superintendents, the D.S.'s, school boards, school administrators, teachers, parents, caregivers, and school staff who given so much and who work so hard to make sure that our system continues to move forward – and make sure that our children continue to learn.*

*There is a saying in Spanish....Palente, siempre palente. Forward, Ever Forward.*

*Before we begin our meeting, I ask for a moment of silence, for those who have succumbed to this virus in New York State, throughout our country and throughout the world. May their lives be a reminder to us all, that life is precious, and our responsibility as educators is to enable our children to be prepared to face the challenges to come in their generation."*

## **ANNOUNCEMENT**

Chancellor Rosa announced the Department will be working with AGB Search for the selection of the next Commissioner. The Board's Search Committee members are Regent Young, Chair, Regent Tilles, Regent Cea, Regent Norwood, Regent Chin and Regent Collins.

## **PRESENTATION**

### **Department Response to Coronavirus (COVID-19)**

Interim Commissioner Shannon Tahoe, Kathleen DeCataldo, Kim Wilkins, Chris Suriano, Jason Harmon, John D'Agati, Bill Murphy, Kevin Smith, Sarah Benson, Mark Schaming and Sharon Cates-Williams provided an update on guidance issued to schools and institutes of higher education regarding COVID-19 (Attachment I.)

## **ACTION ITEM**

**Proposed Amendments to Sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-1.13, 80-1.5, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 154-2.3, 175.5, 200.4, 200.5, 200.7, 200.20 and 275.8 and addition of Section 279.5 to the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis**

**BR (A) 6**

**MOVED**, that Sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-1.13, 80-1.5, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 154-2.3, 175.5, 200.4, 200.5, 200.7, 200.20 be amended and Section 275.8 be added, as submitted, as an emergency measure, effective April 7, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis (Presentation - Attachment II.).

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

**Proposed Amendments to Sections 156.1, 156.2, 156.3, 156.4, 156.5, and 156.12 of the Commissioner's Regulations Relating to Pupil Transportation**

**BR (A) 5**

**MOVED**, that Sections 156.1, 156.2, 156.3, 156.4, 156.5, and 156.12 of the Commissioner's Regulations be amended, as submitted, as an emergency measure, effective April 7, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility for certain regulatory requirements relating to pupil transportation in response to the COVID-19 crisis.

**Motion by:** Regent Catherine Collins  
**Seconded by:** Regent Elizabeth S. Hakanson  
**Action:** Motion carried unanimously.

**Revisions to Charters Authorized by the Board of Regents**

**BR (A) 4 – REVISED**

**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 Evergreen Charter School and amends the provisional charter accordingly.

**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 Riverhead Charter School and amends the provisional charter accordingly.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Vice Chancellor T. Andrew Brown  
**Action:** Motion carried. Regent Susan W. Mittler voted against.  
Regents Judith Chin, Catherine Collins, Elizabeth S. Hakanson and Luis O. Reyes abstained.

### **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 2020 Meeting of the Board of Regents BR (A) 2**

**MOVED**, that the Summary of the March 2020 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Judith Chin  
**Seconded by:** Regent James E. Cottrell  
**Action:** Motion carried. Regents Susan W. Mittler and Frances G. Wills abstained.

## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

**Amendment to Subparts 30-2 and 30-3 of the Rules of the Board of Regents  
Relating to Annual Professional Performance Reviews (APPR) of Classroom  
Teachers and Building Principals to Implement Chapter 59 of the Laws of 2019  
BR (CA) 1**

**MOVED**, that the existing Subpart 30-2 is repealed, that the existing Subpart 30-3 be renumbered to Subpart 30-2, that the title of the new Subpart 30-2 and Section 30-2.1 are amended, and addition of a new Subpart 30-3 of the Rules of the Board of Regents be added as an emergency measure, effective April 11, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to timely implement the provisions of Section 52-m of Part YYY of Chapter 59 of the Laws of 2019 relating to a revised annual teacher and principal evaluation system and to ensure that the emergency action taken at the February meeting remains in effect until the proposed rule can be permanently adopted.

### **P-12 Education**

**Proposed Addition of Section 170.14 of the Regulations of the Commissioner of Education Relating to Financial Transparency Reporting Requirements  
BR (CA) 2**

**MOVED**, that section 170.14 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 13, 2020, 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 conform the Regulations of the Commissioner of Education to the requirements of the Every Student Succeeds Act, which requires each school district to submit a financial transparency report for inclusion in its report card beginning with actual expenditures from the 2018-2019 school year and to immediately notify school districts of their obligation to file such report and to ensure that the emergency adoption taken at the January meeting remains in effect until the proposed rule can be permanently adopted.

**Proposed Amendment to Section 3.8(b) of the Rules of the Board of Regents to Designate Counsel as the Deputy Commissioner of Education as specified in Education Law §101, who, in the Absence or Disability of the Commissioner or when a vacancy exists in the Office of Commissioner, Shall Exercise and Perform the Functions, Power, and Duties of the Commissioner  
BR (CA) 3**

**MOVED**, that Section 3.8(b) of the Rules of the Board of Regents be amended, as submitted, effective April 22, 2020.

**Professional Practice**

**(Re)Appointments of Members to the State Boards for the Professions and  
(Re)Appointments of Extended Members to the State Boards for the Professions  
for Service on Licensure Disciplinary and/or Licensure Restoration and Moral  
Character Panels  
BR (CA) 5**

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

**College of Mount Saint Vincent – Master Plan Amendment for Master of Science  
(M.S.) Degree Program in Art Therapy/Counseling  
BR (CA) 6**

**MOVED**, that the Board of Regents approve an amendment to the master plan of the College of Mount Saint Vincent to authorize the College to offer the M.S. Art Therapy/Counseling program. This amendment will be effective until April 2021, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

**Conferral of Degrees: New York Graduate School of Psychoanalysis  
BR (CA) 7**

**MOVED**, that the Board of Regents confer upon the following individuals, who have completed the requirements for the M. A. program in Psychoanalysis at New York Graduate School of Psychoanalysis:

Jesse Scott Edell-Berlin  
Molly Goldberg  
Giorgi Khatiashvili  
Brennan James Pedersen

**Proposed Amendment to Sections 69.1, 69.2 and 69.3 of the Regulations of the  
Commissioner of Education Relating to the Education, Experience, Examination  
and Endorsement Requirements for Licensure as an Architect  
BR (CA) 8**

**MOVED**, that Sections 69.1, 69.2 and 69.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 22, 2020.

**Proposed Amendment to Section 70.9 of the Regulations of the Commissioner of  
Education Relating to Continuing Education in the Profession of Public  
Accountancy  
BR (CA) 9**

**MOVED**, that subdivision (a) of section 70.9 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 22, 2020.

**Proposed Amendment to Section 79-13.5 of the Regulations of the Commissioner of Education Relating to the Establishment of a New Restricted Licensed for Clinical Laboratory Technologists in Toxicology  
BR (CA) 10**

**MOVED**, that section 79-13.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 22, 2020.

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

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Susan W. Mittler  
**Action:** Motion passed unanimously.

**STANDING COMMITTEE REPORT**

**PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on April 6, 2020. All members participated in the meeting by conference call. Chancellor Betty A. Rosa, Regent Kathleen M. Cashin and Regent Frances Wills also participated but did not vote on any case or action.

**ACTION ITEMS**

**Professional Discipline Cases**

Your Committee recommends, upon the recommendation of the Committee on the Professions, that 33 consent order applications and 8 surrender applications be granted.

These recommendations are made following the review of 41 cases involving thirteen registered professional nurses, eight licensed practical nurses, four licensed master social workers, four professional engineers, two licensed clinical social workers, two licensed practical nurses who are also registered professional nurses, one architect, one architecture professional corporation, one engineering professional corporation, one pharmacist, one pharmacy, 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 6, 2020, copies of which have been distributed to each Regent.

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

**Motion by:** Regent Christine D. Cea  
**Seconded by:** Regent Catherine Collins  
**Action:** Motion carried unanimously.

**State Education Department March 2020 Fiscal Report**  
**BR (A) 3**

**MOVED**, that the Board accepts the March 2020 State Education Department Fiscal Report as presented.

**Motion by:** Regent Susan W. Mittler  
**Seconded by:** Regent Catherine Collins  
**Action:** Motion carried unanimously.

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)  |
|---------------------------------------|--------------|--------------------------------|---|
| Cultural Association of Bengal        | CE           | Westchester (Pelham Manor)     | Consent to filing of certificate of assumed name "International Bengali Cine Awards". |
| National Lighthouse Museum            | CE           | Richmond (Staten Island)       | Amend charter to change the corporate address.  |
| National Soccer Hall of Fame          | CE           | Otsego (Oneonta)               | Dissolve provisional charter.   |
| Rochester Baseball Historical Society | CE           | Monroe (Rochester)             | Extend provisional charter for five years.  |
| Universal Hip Hop Museum              | CE           | Bronx (Bronx)                  | Extend provisional charter for five years.  |
| Valley Masonic Historical Society     | CE           | Nassau (Rockville Centre)      | Extend provisional charter for five years.  |
| Pinnacle Organization                 | P12          | Oswego (Mexico)                | Extend provisional charter for three years.   |
| Cornell University                    | HE           | Tompkins (Ithaca)              | Consent to filing of certificate of assumed name "Cornell Catering".                  |

## **Appendix II**

### **REGENTS ACTIONS IN 41 PROFESSIONAL DISCIPLINE CASES April 6, 2020**

The Board of Regents announced disciplinary actions resulting in the surrender of 8 licenses and 33 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

#### **I. SURRENDERS**

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

Ann C. Hickey; Professional Engineer; New York, NY 10013-3383; Lic. No. 065430; Cal. No. 31576; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Forgery in the 3rd Degree, a class A misdemeanor.

Allen Parmet; Professional Engineer; Springfield, NJ 07081-1232; Lic. No. 032813; Cal. No. 31855; Application to surrender license granted. Summary: Licensee did not contest the charge of being impaired by Alzheimer's disease and Dementia while practicing the profession of engineering.

##### **Nursing**

Natasha Ryan Zittin; Registered Professional Nurse; Winston Salem, NC 27101; Lic. No. 657542; Cal. No. 31585; Application to surrender license granted. Summary: Licensee did not contest charges of failing to timely medicate a patient, in the State of North Carolina, who had a physician's order for prescription medication and failing to note a summary of events in a patient's medical record in the State of North Carolina.

Eryn Rose Bilynsky; Registered Professional Nurse; Lawrence, KS 66046; Lic. No. 628431; Cal. No. 31619; Application to surrender license granted. Summary: Licensee did not contest the charge of stealing controlled substances in the State of Kansas.

Amy S. Roth; Licensed Practical Nurse; Woodland Hills, CA 91367; Lic. No. 235554; Cal. No. 31871; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving Under the Influence with a blood alcohol concentration of .08% or more in the State of California, a misdemeanor, which if committed in New York would constitute Driving While Intoxicated, an unclassified misdemeanor.

Caroline Elizabeth Ebriel Bubb; Registered Professional Nurse; Carson City, NV 89706; Lic. No. 490202; Cal. No. 31908; Application to surrender license granted. Summary: Licensee did not contest the charge of falsely entering, in a patient's chart, elements of a surgical procedure, prior to the surgery actually taking place, in the State of Nevada.

## **Pharmacy**

Hoi In Mui; Pharmacist; Brooklyn, NY 11228; Lic. No. 049387; Cal. No. 31886; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Possession of a Controlled Substance in the 3rd Degree, a class B felony and Criminal Possession of a Forged Instrument in the 2nd Degree, a class D felony.

## **Social Work**

Jeanne Elizabeth Perrotta; Licensed Master Social Worker; Hopewell Junction, NY 12533; Lic. No. 097694; Cal. No. 31872; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Petit Larceny, a misdemeanor.

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

### **Architecture**

Andrew A. Formichella; Architect; New York, NY 10014; Lic. No. 017578; Cal. No. 31519; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

A Form Architecture PC; Architecture; New York, NY 10014; Cal. No. 31520; Application for consent order granted; Penalty agreed upon: \$2,500.

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

Ben Zhaoming Liang; Professional Engineer; Jericho, NY 11753; Lic. No. 085428; Cal. No. 31395; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

L-Squared PE PC; Professional Engineer; College Point, NY 11356; Cal. No. 31396; Application for consent order granted; Penalty agreed upon: \$1,000 fine.

Spiro Chris Colaitis; Professional Engineer; Manhasset, NY 11030-1811; Lic. No. 072872; Cal. No. 31658; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation.

## **Nursing**

Katrina L. Belding; Registered Professional Nurse; St. Petersburg, FL 33714; Lic. No. 636489; Cal. No. 29023; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 2 months and until licensee participates in a course of therapy and treatment and until fit to practice, upon return to practice in the State of New York, 2 years probation.

Nitzia Florencia Distance; Registered Professional Nurse; East Patchogue, NY 11772; Lic. No. 593599; Cal. No. 30188; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Jason Robert Moore; Licensed Practical Nurse; Morrisonville, NY 12962; Lic. No. 288958; Cal. No. 30591; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Krystal Mary Modugno; Licensed Practical Nurse; Geneva, NY 14456; Lic. No. 320674; Cal. No. 31346; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Sharon Louise Killam; Licensed Practical Nurse; Campbell, NY 14821; Lic. No. 315170; Cal. No. 31413; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation.

Garrett Sahrle; Registered Professional Nurse; Wayland, NY 14572; Lic. No. 631895; Cal. No. 31418; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$750 fine.

Kamiah Turmon a/k/a Ka'miah Turmon; Registered Professional Nurse; Troy, NY 12180; Lic. No. 719917; Cal. No. 31443; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Abigail Tolentino; Registered Professional Nurse; Glendale, NY 11385; Lic. No. 658080; Cal. No. 31451; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Luis Miguel Montinola Gosiengfiao; Registered Professional Nurse; New York, NY 10065; Lic. No. 633053; Cal. No. 31457; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Kristi Rene Purcell; Registered Professional Nurse; Rochester, NY 14620; Lic. No. 728014; Cal. No. 31467; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Amanda L. Stallings; Licensed Practical Nurse; Beacon, NY 12508; Lic. No. 168641; Cal. No. 31559; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until she participates in a course of therapy and treatment and until fit to practice, upon return to practice, 2 years probation.

Horace Richard Horton a/k/a Horace Richard Horton III; Licensed Practical Nurse, Registered Professional Nurse; Galway, NY 12074; Lic. Nos. 311072, 712196; Cal. Nos.

31586, 31587; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Mickey John McLaughlin; Registered Professional Nurse; Potsdam, NY 13676; Lic. No. 644927; Cal. No. 31594; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, upon return to practice 2 years probation, \$500 fine.

Eric Bruce Jacobs; Licensed Practical Nurse; Oneida, NY 13421; Lic. No. 282714; Cal. No. 31595; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Robin A. Zornow; Licensed Practical Nurse; East Williamson, NY 14449; Lic. No. 259381; Cal. No. 31602; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Judy Quashie a/k/a Judy Helen Franklyn-Quashie; Licensed Practical Nurse, Registered Professional Nurse; Rosedale, NY 11422; Lic. Nos. 212114, 430814; Cal. Nos. 31608, 31609; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Alissa Lynn Valentine; Registered Professional Nurse; Oneonta, NY 13820; Lic. No. 685224; Cal. No. 31610; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Tammy Lee Withrow; Licensed Practical Nurse; Watertown, NY 13601-2219; Lic. No. 190221; Cal. No. 31653; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Michelle Marie Couse; Registered Professional Nurse; Shortsville, NY 14548; Lic. No. 417699; Cal. No. 31654; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

## **Pharmacy**

ABC Pharmacy, Inc.; Pharmacy; Brooklyn, NY 11220; Reg. No. 026818; Cal. No. 31502; Application for consent order granted; Penalty agreed upon: \$5,000 fine.

## **Social Work**

Victoria Fern Tilbe-Hugel; Licensed Clinical Social Worker; Rochester, NY 14626; Lic. No. 058606; Cal. No. 30884; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Nadine Carla Andree Campbell; Licensed Master Social Worker; Albany, NY 12208; Lic. No. 054265; Cal. No. 31383; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Christina V. Dadey; Licensed Master Social Worker; Batavia, NY 14020; Lic. No. 063499; Cal. No. 31511; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Franc J. Libihoul; Licensed Clinical Social Worker; West Hurley, NY 12491; Lic. No. 037837; Cal. No. 31615; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Kristin Ackner McFerran; Licensed Master Social Worker; Latham, NY 12110; Lic. No. 086566; Cal. No. 31647; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$750 fine.

### **Veterinary Medicine**

Terry D. Hausserman; Veterinarian; Boonville, NY 13309; Lic. No. 005599; Cal. No. 31632; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 months stayed suspension, 1 year probation, \$500 fine.

# ATTACHMENT I



## COVID-19 RESPONSE

Presentation to the Board of Regents

April 6, 2020



New York State  
EDUCATION DEPARTMENT  
Knowledge > Skill > Opportunity

# STATE OF EMERGENCY IN NEW YORK

## No. 202.11: Continuing Temporary Suspension and...

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive

Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue

the following directives for the period from the date of this Executive Order through April 26, 2020:

- The directive contained in Executive Order 202.4 related to the closure of schools statewide shall hereafter be modified to provide that all schools shall remain closed until April 15, 2020, at which time the continued closure shall be re-evaluated. No school shall be subject to a diminution in school aid due to failure to meet the 180 day in session requirement as a result of the COVID-19 outbreak, provided their closure does not extend beyond the term set forth herein. School districts must continue plans for alternative instructional options, distribution and availability of meals, and child care, with an emphasis on serving children of essential workers, and continue to first use any vacation or snow days remaining.

- Governor Cuomo directed every school in New York State to close until April 15
- All non-essential State employees have been ordered not to report to work and to work from home as much as practicable



# STATE OF EMERGENCY IN NEW YORK

**Coronavirus (COVID-19)**

The Board of Regents and the New York State Education Department (NYSED) are providing information and guidance for P-12 schools, colleges and universities, licensed professionals, adult education programs, and NYSED employees in response to the Novel Coronavirus (COVID-19).

P-12 School Guidance      Continuity of Learning



P-12 school guidance and resources are available from several sources, including NYSED, the U.S. Department of Education, the NYS Department of Health, the CDC, and the NYS Center for School Health.

Additional Guidance      Building Closures



Additional guidance is available for colleges and universities, licensed professionals, adult education programs, and NYSED employees.

Guidance for Colleges & Universities      State Museum, Library, & Archives Closed

Guidance for Licensed Professionals      State Museum Online Exhibitions

Guidance for Adult Education Programs      State Library Online Resources

Guidance for NYSED Employees      State Archives Research Room Services

NYS Education Department  @NYSEDNews · Mar 30

It's National Doctors' Day! We'd like to recognize physicians, their work in [#healthcare](#) & their contributions to society & their communities, especially during the COVID-19 emergency. [bit.ly/2mA6zh7](https://bit.ly/2mA6zh7)

#ThankADoctor

## NATIONAL DOCTORS' DAY



NYS Education Department  @NYSEDNews · Mar 27

NYSED has launched a new website to help ensure continuity of learning for students during school closure. The website provides examples of technology- and non-technology-based resources for districts and schools. [bit.ly/2WwQQOE](https://bit.ly/2WwQQOE) #NYLearnRemotely

## #NYLearnRemotely



The Board of Regents and NYSED have responded swiftly to the rapidly evolving COVID-19 situation:

- Opened lines of communication with the field and stakeholders
- Developed many comprehensive guidance documents and resources based on 14 Executive Orders to date
- Developed systems to accept and review continuity of learning, child nutrition and child care plans from more nearly 700 school districts statewide
- NYSED staff are working tirelessly to maintain crucial services for students, P-12 schools, colleges & universities, professional licensees, adult education programs, cultural institutions, and the people of New York State



# COVID-19 RESPONSE: STUDENT SUPPORT SERVICES



**Coronavirus (COVID-19)  
Guidance and Resources**

- School Health Services
- School Safety & Cleaning
- Child Nutrition Program
- Childcare & Child Nutrition Plans
- Social Emotional Learning and Mental Health
- Home Schooling
- Working Papers
- COVID Email Box

# COVID-19 RESPONSE: CONTINUITY OF LEARNING & STATE ASSESSMENTS



## Continuity of Learning

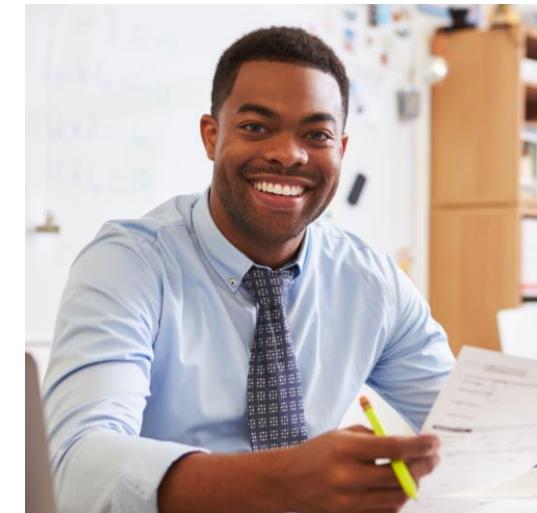
- Continuity of Learning Website
- Submittal of District Developed Continuity of Education Plans and Childcare Plans
- Collaboration with Public Broadcasting Association
- Development of Regulatory Amendments & Guidance
- Smart Schools Bond Act team sent plans supporting the purchase of over ten thousand devices

## State Assessments

- Elementary- and Intermediate-Level State Assessments have been suspended
- NYSED will provide guidance on the Regents Examinations in the near future
- Waiver received from the US Department of Education for assessments, accountability and reporting for 2020-21

# COVID-19 RESPONSE: OFFICE OF BILINGUAL EDUCATION AND WORLD LANGUAGES

- Released [information](#) to support Continuity of Learning for English Language Learners
  - Partnered with City University of New York to deliver [online professional learning resources](#) to support Students with Interrupted/Inconsistent Formal Education (SIFE)
  - Partnered with Office of Special Education to deliver [guidance related to ELLs with Individualized Education Programs \(IEP\)](#)
- Established and maintain weekly communications with the ELL Leadership Council
- Aligned [Regional Bilingual Education Resource Networks \(RBERNs\)](#) to provide Professional Learning and technical assistance services remotely
- Partnered with Office of ESSA Funded Programs to assist districts' utilization of appropriated funds to address school closures



# COVID-19 RESPONSE: OFFICE OF SPECIAL EDUCATION (OSE)

## Resources

**U.S. Department of Education (USDE) Written Guidance and Webinars on NYSED's Website**

**OSE Providing Resources to Assist Parents and Schools in Educating Students With Disabilities During School Closure**

**OSE Educational Partnership Modifying Technical Assistance (TA) Materials to Virtual Formats**

**OSE Providing Question and Answer Guidance & Proposing Emergency Regulations**

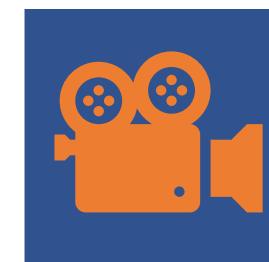
**Closed the NYS Schools for the Deaf and Blind**

## Stakeholder Engagement



**Regional Staff Providing TA through Participation in Virtual Regional Meetings**

**Livestream with Approved Private Schools Serving Students with Disabilities**



**OSE Educational Partnership Family and Community Engagement Centers Providing TA to Families**



# COVID-19 RESPONSE: OFFICE OF ACCOUNTABILITY

- Waiver received from the US Dept. of Education for assessments, accountability and reporting for 2020-21
- Granted extensions for required reporting and submission deadlines upon request to minimize administrative burden on schools and districts
- Converted on-site school support visit protocols to virtual formats and re-scheduled visits upon request
- Provided technical assistance on the use of federal funds to help districts address student/family needs
- Supported the development and administration of three COVID-19 plan templates, including the reviewer protocol for Continuity of Instruction plans, in response to Executive Order
- Provided training to more than 80 NYSED staff responsible for completing plan reviews to ensure timely, high-quality reviews
- Completed on-demand data analysis of plans for Commissioner and BOCES District Superintendents to facilitate meaningful plan implementation

User's Guide for Submitting COVID-19 Plan

Per Executive Order No. 202.4: Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency, school districts shall develop a plan for alternative instructional options, distribution and availability of meals, and child care, with an emphasis on serving children of parents in the health care profession or first responders who are critical to the response effort. Such plans shall be submitted to the State Education Department and may be amended or modified by the State Education Department, in consultation with the Department of Health and Office of Children and Family Services at any time.

Toward that end, NYSED has published in the NYSED Business Portal three plan sections that must be completed by each district. Districts must submit each of the three sections of the plan by completing the following steps:

1. Go to the Business Portal (<http://portal.nysesd.gov>).
2. Click on the Log In button. If needed, a user may also reset a previously assigned password.
3. Enter your username and password.
4. Click on "SED Monitoring and Vendor Performance System" under My Applications.

The bottom screenshot shows the NYSED Home Portal Home screen with the SED Monitoring and Vendor Performance System highlighted.

SCEP Support Visit 3 – Virtual

District: Name of CSD      School: Name of School      Principal: Name      Date: March Date at Time a.m. or p.m.

Visit Outline:

Reflecting on Plan Progress (45 minutes) → Staff Focus Groups (2 groups @ 15 minutes each) → Areas of Need for 20-21 SCEP (60-90 minutes)

Key Information

Support Visit #3 (March-April 2020)

Key Information

SCEP Support Visits are designed to facilitate reflection and provide technical assistance toward the school's implementation of its annual improvement plan to ensure progress toward its goals.

Purpose: This visit is focused on reflecting on progress thus far and considering how lessons learned from this year could inform next year's improvement plan.

Meeting will consist of:

- Discussing progress toward each goal.
- Discussing how practices have been adopted in classrooms.
- Connecting with two sets of staff members involved in this year's improvement initiatives to learn their insights into the school's needs.
- Discussing potential areas of need for the 2020-21 SCEP.

Reflecting on Plan Progress (45 minutes) → Staff Focus Groups (2 groups @ 15 minutes each) → Areas of Need for 20-21 SCEP (60-90 minutes)

# COVID-19 RESPONSE: OFFICES FOR CHARTER SCHOOLS & NONPUBLIC SCHOOLS

## Activities to support charter schools:

- Developed tools and resources
- New web page for charter schools:  
<http://www.nysesd.gov/ZkW>

## Activities to support nonpublic schools:

- Facilitated the use of Equitable Services funds under ESSA to support professional development in distance education for teachers in religious and independent schools.

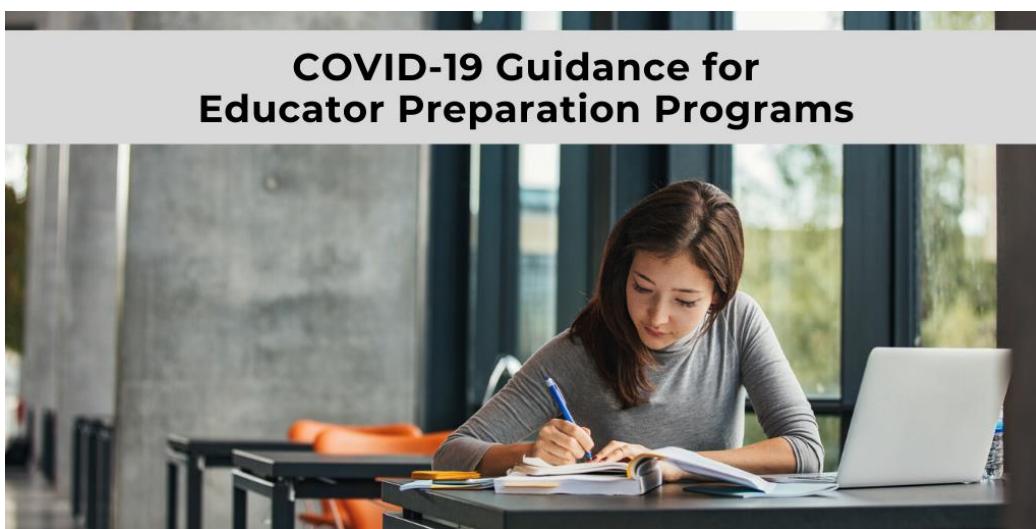
- **Education Continuity Plan Exemplars:**

- 1. **Educational Continuity Plan Chat - [West Buffalo Charter School](#)**

This is a conversation with Andrea Todoroff, the school leader of the [West Buffalo Charter School](#), regarding the supports and services they are providing to students during the COVID-19 emergency:



# COVID-19 RESPONSE: HIGHER EDUCATION



**Posted guidance related to flexibilities for Colleges and Universities**

**<http://www.nysed.gov/ZkP>**

- Offered guidance on flexibilities for colleges
- Participated in webinars with stakeholders
- Online delivery of all programs
- Allow for flexibility for grant & opportunity programs (MBK, PTECH, LPP, etc.)

# COVID-19 RESPONSE: ADULT CAREER AND CONTINUING EDUCATION SERVICES



- Over 700 vocational rehabilitation (VR) staff working remotely to ensure the continuity of services
- Maintained communications with 300 counselors to and 50k+ participants
- Closed High School Equivalency (HSE) test centers and provided online guidance to the field
- Issued comprehensive guidance and training for Adult Education remote learning
- Issued formal guidance to BPSS School Owners and Directors

# COVID-19 RESPONSE: THE PROFESSIONS

- Developed regulatory amendment language
- Developed a dedicated COVID-19 website for the Office of the Professions
- Distributed email messages to retired licensees & prospective volunteer health care providers requesting assistance resulting in more than 80,000 volunteers
- Developed an online registration system that expedites the return to practice of inactive licensees
- Created medical program attestation form for early graduation of final-year medical students
- Developed new continuing education policies allowing professionals to complete 100% of the requirements online.
- Improved pace of licensing & re-registering of health care professionals



NYS Education Department  
@NYSEDNews

COVID-19 Response Effort Volunteers Needed: New York State active and inactive licensees can find more information about volunteering here: [bit.ly/2X1noll](https://bit.ly/2X1noll)



10:00 AM · Apr 3, 2020 · Hootsuite Inc.



# COVID-19 RESPONSE: CULTURAL EDUCATION

- Closed the Cultural Education Center
- Donated 22,000 pairs of gloves to COVID-19 emergency response efforts
- State Museum will offer virtual field trips to the Museum via Facebook
- State Archives is collecting documentation of the State's response to the pandemic
- State Archives is providing guidance to local governments and non-government repositories
- State Library is working with libraries and stakeholders statewide
- State Library is working with Office of Counsel and Government Relations to make necessary changes to regulations
- Office of Public Broadcasting is working with PBS to provide educational resources for students and teachers



# COVID-19 RESPONSE: PERFORMANCE IMPROVEMENT AND MANAGEMENT SERVICES

- Facilitated implementation of Business Continuity Plans across the agency
- Implemented Internal Employee Communications Plan
- Provided support for Statewide Emergency Operations
- Ensured all SED Facilities are COVID-19 ready
- Transitioned over 2,000 employees to work from home including implementing policies for telecommuting and alternate work schedules
  - Distributed over 1,200 laptops, iPhones and portable Wi-Fi devices



# COVID-19 RESPONSE: COMMUNICATIONS, CFO & COUNSEL'S OFFICE

## Communications

- Continuously disseminates information via dedicated websites for external and internal audiences, listservs, news releases, social media, guidance memos, news & notes and parent newsletter
- Launched social media campaigns
  - #NYLearnsRemotely
  - #WhatImStayingHomeFor
  - #HeroesOfCovid19

## Chief Finance Officer

- Coronavirus Aid, Relief, and Economic Security (CARES) Act (\$30.7B total)
  - PI2 School Emergency Relief Fund (\$1 billion for NY)
  - Emergency Education Relief Fund (\$164.6 million for NY)
  - Higher Education Emergency Relief Fund (\$13.9 billion)
- Collaborated with OSE on tuition-rate setting guidance
- Assisted program offices with grant, contract and finance issues

## Counsel's Office

- Assisted numerous program offices on their guidance and proposed regulations
- Answered countless legal questions



# QUESTIONS

**NYS Education Department** @NYSEDNews · Mar 31  
Stay home because you care about the people who matter to you. Why are you staying home for? #WhatImStayingHomeFor #COVID19 #stayconnected #stayhome @WSWHEBOCES



**NYS Education Department** @NYSEDNews · Mar 31  
Did you know @PBSKIDS offers fun games and activities to help your child learn at home? Check them out at [to.pbs.org/2NgHS5i](http://to.pbs.org/2NgHS5i) #TipTuesday #NYLearnsRemotely



**NYS Education Department** @NYSEDNews · Mar 31  
Children's author and illustrator Chris Van Dusen has read all his books on Facebook Live (and posted them to YouTube!). He is also doing daily wing tutorials for kids. Check them out! [bit.ly/2JhriiB](http://bit.ly/2JhriiB) #NYLearnsRemotely



**NYS Education Department** @NYSEDNews · Mar 30  
Learn from home with @WMHTPubMedia! WMHT is offering even more educational programming for students in grades Pre-K through 12. More information is available at [wmht.org/homeclassroom](http://wmht.org/homeclassroom) #NYLearnsRemotely



**NYS ED .gov**

# ATTACHMENT II

# COVID-19 Emergency Regulations

April 6, 2020



# COVID-19 PANDEMIC

- On March 7, 2020 the Governor of New York State declared a State disaster emergency for the entire State of New York pursuant to Executive Order 202 and subsequently, issued additional Executive Orders in response to the COVID-19 crisis directing the closure of schools, directing non-essential work personnel to work from home, and directing non-essential gatherings of individuals of any size for any reason to be canceled or postponed.
- As a result of the Governor's numerous Executive Orders, it is necessary for the Department to adopt emergency regulations to address the issues resulting from the interruptions caused by the COVID-19 crisis.

# Professions

- **Excuse the continuous experience requirements for speech language pathology, audiology, and occupational therapy.**  
The Department proposes to allow for the opportunity to excuse the continuous experience requirements for speech language pathology, audiology, and occupational therapy where such continuous experience cannot be completed due to the State of Emergency declared by the Governor.
- **Accept passing examination scores from Public Accounting applicants that are outside the required 18 month examination window.**  
The Department proposes to accept passing examination scores from Public Accounting applicants that are outside the required 18 month examination window where such examinations cannot be completed within 18 months due to the State of Emergency declared by the Governor.

# Professions Continued

- **Modify educational program requirements to the extent authorized by law.**  
The Department proposes to amend Commissioner's regulations to allow the Department to modify professional educational program requirements, to the extent authorized by law, if such requirements cannot be successfully completed due to the State of emergency declared by the Governor.
- **Grant an exemption for in-person supervision experience requirements for certain licensed professions.**  
The Department proposes to grant an exemption for in-person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis if such in-person supervision cannot be completed due to the State of Emergency declared by the Governor.

# Accountability

- **The federal government has approved the Department's application for a one-year waiver for State assessments and accountability systems.**

The federal government has provided a one-year waiver from provisions of the Every Student Succeeds Act (ESSA) pertaining to State assessments and school and district accountability determinations due to the unique circumstances that have arisen as a result of the COVOID-19 crisis.

# Accountability Continued

- **District and School Performance Review and Accountability Status:**
  1. **The Commissioner shall not conduct school and district performance reviews using 2019-20 school year results.**
  2. **Accountability status of public schools and districts for the 2020-21 school year will remain the same for the 2019-20 school year.**
  3. **2018-19 school year results shall be used where 2019-20 results would have been used.**

As a result of the assessment and accountability waiver from the federal government, the Department proposes not to conduct a review of school and district performance using 2019-20 school year results; the accountability status of public schools and districts for the 2020-21 school year shall be the same as for 2019-20, and the 2018-19 school year results shall be used in any instance for which 2019-20 results would have been used as part of the process in making 2021-22 school year accountability determinations.
- **The Commissioner may modify timelines for the 2019-20 through 2021-22 school years.**

Additionally, the proposed amendment provides that the Commissioner may, upon a finding of good cause, modify for the 2019-20 through 2021-22 school years any timelines pertaining to notifications, plans, reports, or implementation of activities required by such section.

# Special Education

- **Ensure that State approved private schools, State operated schools, Special Act School Districts, State supported schools and preschools will not be penalized because they are unable to provide instruction or operate for 180 days.**

The Department proposes to amend regulations to ensure that State approved private schools, State operated schools, State supported schools and preschools will not be penalized because they are unable to provide instruction or operate for 180 days during the COVID-19 crisis; consistent with the Governor's Executive orders.

- **Allow impartial hearing officers to conduct special education due process hearings by video conference.**

The Department proposes to allow impartial hearing officers to conduct special education due process hearings by video conference during the COVID-19 crisis.

- **Allow hearing officers to extend cases up to 60 days rather than 30 days.**

The Department proposes to allow hearing officers to extend cases up to 60 days rather than 30 days while schools are closed pursuant to an Executive order issued by the Governor. This allows Impartial Hearing Officers better flexibility while school witnesses, administrators and parents are unavailable to partake in due process hearings.

# Special Education Continued

- **Extend the time period for preschool providers to make up missed services.**  
The Department proposes to amend regulations that require preschool providers to make-up missed services within 30 days of the missed session. The proposed amendment will not include days the school is closed pursuant to an Executive Order of the Governor.
- **Extend the time period to arrange for special education programs and services to be provided to a student with a disability.**  
The Department proposes to extend the time period to arrange for special education programs and services to be provided to a student with a disability from 60 school days of receipt of consent to evaluate so that the 60 days will not include any day(s) that such school is closed pursuant to an Executive order issued by the Governor. As well, 30 school days will be extended for arranging an approved non-public school placement.

# Bilingual Education

- Provide that days when a school is closed will not count toward the following timelines:

1. English language learner identification process
2. Parental notification and information
3. English as a New Language/Bilingual Education placement

The Department proposes to not include any day(s) where a school is closed pursuant to an Executive Order of the Governor to count toward the following timelines : English language learner identification process timeline; parental notification and information timeline, and the English as a New Language/Bilingual Education placement timeline.

# Bilingual Education Continued

- **Provide an exemption to students from the unit of study requirements where such student otherwise achieves the learning outcomes.**

The Department proposes to provide an exemption to the unit of study requirements where a student is unable to meet such requirements due to schools being closed pursuant to an Executive Order of the Governor and where such student otherwise achieves the learning outcomes for such course of study.

- **Provide that for this school year, there will be no English language learner annual assessment.**

The Department proposes to provide that for the 2019-2020 school year, there will be no English language learner annual assessment due to such assessment being suspended as result of the COVID-19 crisis.

# Curriculum and Instruction

- **Provide an exemption to students from the unit of study requirement.**  
The Department proposes to amend Commissioner's regulations to provide an exemption to unit of study requirements where a student is unable to meet such requirements due to schools being closed pursuant to an Executive Order of the Governor and where such student otherwise achieves the learning outcomes of such portion of unit of study completed.

# Charter Schools

- **Reporting and Payments: Excuse delays of up to 30 days in required reporting and payment by charter schools to public schools.**
  - The Department proposes to amend Commissioner's regulations to permit the Commissioner to excuse delays in required reporting by charter schools to public schools for the length of time of a school closure ordered by an Executive Order of the Governor, provided such delay does not exceed 30 days.
  - The Department also proposes to amend regulations to provide that when there is a delay in reporting by a charter school the Commissioner may excuse any delay in payment by a public school to a charter school, provided such delay does not exceed 30 days.

# Charter Schools Continued

- **Lotteries:** Require charter schools to provide notice on their websites of the date, time and place of lotteries for the random selection process for charter school student applicants and permit such lotteries to be held remotely.
  - The Department proposes to require charter schools to provide notice on their website of the date, time and place of lotteries for the random selection process for charter school student applicants if such lottery is provided during a school closure ordered pursuant to an Executive Order of the Governor.
  - Additionally, the Department proposes to permit such lotteries to be held remotely, provided that the public has the opportunity to view or listen and such lottery is recorded and later transcribed.

# Home Instruction

- **Alternative Form of Evaluation: Permit an alternative form of evaluation, in lieu of an annual assessment, for home instruction students.**
  - The Department proposes to permit an alternative form of evaluation, in lieu of an annual assessment, for all grades in the 2019-20 school year due to the State of Emergency declared by the Governor.
  - Currently, alternative form of evaluation is only available for certain grade levels.
  - Such alternative form of evaluation would contain a written narrative prepared by either a New York State-certified teacher, a home instruction peer group review panel, or other person, who has interviewed the child and reviewed a portfolio of the child's work. Such person shall certify either that the child has made adequate progress or that the child has failed to make adequate progress.

# Higher Education

- **DASA Training: Permit DASA training to be conducted entirely online.**  
The Department proposes to permit the Dignity for All Students Act (DASA) training to be conducted entirely online during the time period of the State of emergency declared by the Governor pursuant to an Executive Order.
- **edTPA: Create an edTPA safety net for candidates in registered educator preparation programs whose student teaching or similar clinical experience in spring of 2020 was impacted by COVID-19.**  
The Department proposes to create an edTPA safety net for candidates in registered educator preparation programs (EPPs) whose student teaching or similar clinical experience in spring of 2020 was impacted by COVID-19, holding them harmless. These candidates would be able to take and pass either the ATS-W or edTPA. Eligible candidates who choose to take the edTPA but do not pass it, could take and pass the ATS-W, or pursue the edTPA Multiple Measures Review Process (MMRP), if they qualify.

# Higher Education Continued

- **Extend the SOCE application deadline from June 30, 2020 to June 30, 2021.**  
The Department proposes to extend the SOCE application deadline from June 30, 2020 to June 30, 2021 so that school districts have time to identify staff who are eligible for the SOCE, inform them about the application process and any supports provided, and submit the materials needed for applications.
- **Extend the time period by which full-time teaching experience must be completed to June 30, 2021.**  
For the SOCE and limited extension, special education teachers must complete their satisfactory full-time teaching experience, while being considered Highly Qualified through passing a HOUSSSE rubric in the subject area, prior to June 30, 2020. The Department proposes to extend the time period by which the experience must be completed to June 30, 2021, giving teachers the opportunity to gain more full-time satisfactory teaching experience for the SOCE or limited extension as they are losing time to do so during the COVID-19 crisis.

# State Aid

- **Permit schools and districts to operate for less than 180 days without a reduction in State Aid.**  
The Department proposes to amend Commissioner's regulations to permit public school districts, public schools and charter schools to operate for less than 180 days during the 10 month school year resulting from the period of closure in accordance with the terms of Executive Order(s) issued by the Governor pursuant to the state of emergency for the COVID-19 crisis.
- **Permit missed instructional hours to count toward annual instructional hour requirements.**  
This amendment also permits missed instructional hours for any day that a school is closed pursuant to an Executive Order of the Governor to count toward the minimum annual instructional hour requirements set forth in such section.

# Early Learning

- **Permit prekindergarten programs to operate for less than the 180-day and 90-day requirements.**

The Department proposes to permit prekindergarten programs to operate for less than the 180-day and 90-day requirements where such programs are closed consistent with the terms of the Executive Order(s) of the Governor.

- **Permit NYSED staff to conduct annual visit of nonpublic nursery schools and kindergartens as soon as practicable.**

The Department proposes to permit Department staff who are unable to conduct their annual visit of nonpublic nursery schools and kindergartens because they are closed pursuant to an Executive Order of the Governor, to conduct such annual visit as soon as practicable when they reopen.

# 310 Appeals to the Commissioner

- **Permit service of pleadings and appeals by alternative means where such services currently require in-person service.**

The Department proposes to amend Commissioner's regulations to permit service of pleadings and supporting papers for appeals to the Commissioner by alternative means during the time period of any movement restrictions or school closures directed by Governor Executive Order. Currently the Commissioner's regulations require personal service.

# Part 83 Appeals

- **Excuse filing timeframes relating to appeals to the Commissioner of a hearing officer's determination of good moral character.**

The Department proposes to excuse the filing timeframes relating to appeals to the Commissioner of a hearing officer's determination of good moral character where such late filings are due to the State of emergency declared by the Governor.

# Part 87 Appeals

- **Excuse late submissions relating to due process procedures for prospective employees' clearance for employment.**

The Department proposes to excuse late submissions relating to due process procedures for prospective employees' clearance for employment.

- **Excuse late submissions relating to appeals of the Department's determination to deny prospective school employees' clearance for employment.**

The Department proposes to permit the Commissioner's designee to excuse late submissions relating to appeals of the Department's determination to deny prospective school employees' clearance for employment where such submissions are late due to the State of emergency declared by the Governor.

- **Amend the definition of "prospective school employee".**

The Department proposes to amend the definition of "prospective school employee" to include any individual who will reasonably be expected to provide services which involve online communication or interaction directly to students under the age of 21 during the period of a school closure ordered pursuant to an Executive Order of the Governor pursuant to a State of emergency for the COVID-19 crisis.

# Office of State Review

- **Provide that a State Review Officer may authorize certain filings through electronic means.**

The Department proposes to amend regulations to allow a State Review Officer to authorize certain filings through electronic means during the State of emergency declared by the Governor.

# Questions?