

*The University of the State of New York*  
Education  Department

**SUMMARY OF THE NOVEMBER MEETING  
OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF THE STATE OF NEW YORK**

*Held in Onondaga County  
New York*

*November 7 and 8, 2002*

*David Johnson, Secretary  
Board of Regents*

**THE BOARD OF REGENTS**

The Board of Regents of The University of the State of New York held two public sessions on Thursday, November 7, 4:30 p.m. and Friday, November 8, 12:15 p.m. pursuant to a call duly sent to each Regent.

**MEETING OF THE FULL BOARD, Thursday, November 7**

**Board Members in Attendance:**

Robert M. Bennett, Chancellor  
Adelaide L. Sanford, Vice Chancellor  
Saul B. Cohen  
James C. Dawson  
Robert M. Johnson  
Anthony S. Bottar  
Geraldine D. Chapey  
Arnold B. Gardner  
Harry Phillips, 3<sup>rd</sup>  
Joseph E. Bowman, Jr.  
Judith O. Rubin  
James R. Tallon, Jr.  
Milton L. Cofield

Also present were the President of The University and Commissioner of Education, Richard P. Mills, the Counsel and Deputy Commissioner for Legal Affairs, Kathy A. Ahearn, and the Secretary, Board of Regents, David Johnson. Regents Diane McGivern, Merryl H. Tisch and Lorraine Cortés-Vázquez were absent and excused.

Chancellor Bennett called the meeting to order at 4:30 p.m.

**ACTION ITEMS**

**Summary of the October Meeting  
BR (A) 1**

**MOVED**, that the Summary of the October 2002 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent James C. Dawson  
**Seconded by:** Regent Milton L. Cofield  
**Action:** Motion carried unanimously

**Summaries of Regents Priority Legislative Proposals 2003  
BR(A) 2**

The Regents Priority Legislative Program is designed to further the goals and objectives of the Strategic Plan, a commitment to set high standards, build capacity and account for results. This year's proposals are focused at closing the gaps in student achievement and the availability of and access to information, education, materials, services, and qualified professionals.

**MOVED**, that the Board of Regents approve the Regents Priority Legislative Proposals for 2003.

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

**State Education Department October 2002 Fiscal Report  
BR (A) 5**

The Board received for review and action the October 2002 Fiscal Report. General Fund and Federal accounts are in structural balance. All revenue accounts are in balance, allowing for normal reimbursement delays and the planned use of prior year balances.

During Board discussion of the fiscal report it was requested that the December report include information on transition funding for the Office of Cultural Education.

**MOVED**, that the Board of Regents approve the October 2002 State Education Department Fiscal Report.

**Motion by:** Regent James C. Dawson  
**Seconded by:** Regent Robert M. Johnson  
**Action:** Motion carried unanimously

**DISCUSSION ITEMS**

**Commissioner's Report**

The Commissioner's written report focused on seven subject areas: State aid; nonpublic school aid; preparation for NCLB policy decision on accountability; policy decision on priority legislation; City University of New York report; use of Board time; and, partnership agreements to improve student achievement.

### **Implementation of Accountability Provisions of No Child Left Behind Act BR (D) 3**

In September the Board reviewed a draft conceptual framework for implementing the accountability provisions of the No Child Left Behind (NCLB) legislation. This month staff provided an update of activities with focus groups across the State and with USDOE staff to discuss the status of the Federal draft accountability regulations and their implications for the proposals contained in New York's conceptual framework.

In December, the Board will consider a proposed final conceptual framework for approval. Once approved, the conceptual framework will serve as the basis for New York's submission to USDOE in January 2003.

### **Report of the Peer Review Team's Site Visit to CUNY Concerning Baccalaureate Program Admission Requirements BR (D) 4**

In November 1999 the Board approved, through December 31, 2002, an amendment to the master plan of The City University of New York (CUNY) that established new standards for admission to baccalaureate programs. The Board required the Department to monitor the implementation of the new standards and to have a peer review team examine the implementation of the amendment and its effect on access to baccalaureate programs, on remedial efforts and the academic programs at senior and community colleges.

This month the Board reviewed the peer review teams report and attached comments provided in response to it by CUNY. The report's overall recommendation is that "the policy be continued but that further study over a period of three to five years would yield more conclusive understanding about any modifications that should be made in order to assure that the entire eligible student population is being best served."

In December the Board will review CUNY's final report on implementation of the master plan amendment for final action.

**MEETING OF THE FULL BOARD, Wednesday, November 8****Board Members in Attendance:**

Robert M. Bennett, Chancellor  
Adelaide L. Sanford, Vice Chancellor  
Saul B. Cohen  
James C. Dawson  
Robert M. Johnson  
Anthony S. Bottar  
Geraldine D. Chapey  
Arnold B. Gardner  
Harry Phillips, 3<sup>rd</sup>  
Joseph E. Bowman, Jr.  
James R. Tallon, Jr.

Also present were the President of The University and Commissioner of Education, Richard P. Mills, the Counsel and Deputy Commissioner for Legal Affairs, Kathy A. Ahearn, and the Secretary, Board of Regents, David Johnson. Regents Diane McGivern, Merryl H. Tisch, Lorraine Cortés-Vázquez, Judith O. Rubin and Milton L. Cofield were absent and excused.

Chancellor Bennett called the meeting to order at 12:15 p.m.

**ACTION ITEMS**

**Proposed Resolution to Amend the Regents 2003-2004  
Conceptual State Aid to Schools Proposal  
BR (A) 4**

The Board reviewed for consideration a proposed resolution to include aid for non-public schools on a limited basis in its 2003-2004 conceptual proposal for State aid to school districts.

In discussion, Board members expressed support, raised issues and concerns: schools, whether public or nonpublic, should not be financially penalized for committing to standards and graduation requirements; although public schools are receiving additional funds to aid in efforts to increase standards, nonpublic schools are not receiving this increased funding; financing of nonpublic schools cannot negatively impact public school funding; and, further discussion is required with participation by all Board members.

The Chair of the Subcommittee on State Aid concluded the discussion by stating that consensus has not been reached on the resolution for inclusion in the proposal for State aid to school districts for 2003-04.

### **State Aid to School Districts BR (A) 3**

The Board is focused on closing the gap between actual student achievement and that needed for all students to meet State learning standards. The Regents proposal on State aid to school districts for school year 2003-04 is in the fourth year of a five-year proposal. It builds on previous years' efforts to improve the distribution of funding to close the achievement gap.

Board members reviewed a draft conceptual proposal on State Aid to School Districts for 2003-04. In December the Board will receive a final version of the proposal, a proposed funding level and the impact of the proposal for groups of school districts.

**MOVED**, that the Board of Regents approve the distribution of the draft conceptual proposal on State Aid to School Districts for 2003-04 in order to receive public comment.

**Motion by:** Regent James C. Dawson  
**Seconded by:** Regent Geraldine D. Chapey  
**Action:** Motion carried (Regent Robert M. Johnson voted nay)

### **DISCUSSION ITEMS**

#### **Regents Meeting Schedule BR (D) 5**

As a following to the ongoing effort to make the most effective use of monthly meeting time for the Board, discussed at the 2002 Retreat and at the October meeting of the Committee on Quality, the Board discussed two options that would reduce the proportion of the monthly meetings currently devoted to committee meetings by having committees meet concurrently. The first option includes concurrent meetings of all committees except Higher and Professional Education and Elementary, Middle, Secondary and Continuing Education, increasing by approximately three hours the time available for Full Board, advocacy, constituency meetings, etc. The second option includes concurrent meetings of all committees, increasing the time available to the Board for other business opportunities by approximately five hours.

Following discussion, it was agreed that the options would be further explored by the Committee on Quality in February and returned to the Full Board for continued deliberation.

### **BOARD ACTIVITIES AND VISITATIONS**

The Board convened its monthly meeting at the Onondaga-Cortland-Madison BOCES with a hands-on demonstration of three virtual learning spaces projects, followed by a luncheon prepared by students in the culinary arts program. In the early afternoon the Board met with members of the District Superintendents' Committee on Accountability and Low Performing Schools to discuss the key findings in their report on the common characteristics of low-performing schools and the strategies that best address these problems.

Board members traveled to Syracuse University to meet with representatives of the Syracuse City School District and key stakeholders to discuss a draft partnership agreement between the District and the State Education Department. Board members, the Commissioner and Department staff joined the participants in small group discussions on eight topics that are the focus of collaborative school improvement efforts. This session was followed by a meeting of the Full Board.

In the evening the Board hosted a community forum, attended by more than 100 persons, at H.W. Smith Elementary School in Syracuse. Following a brief opening presentation, attendees joined members of the Board and senior Department staff in a series of classroom discussions on education issues of interest to those in attendance.

On the morning of November 8, Board members visited four pairs of schools and a college: Onondaga Community College; Jamesville-Dewitt High School, Dewitt, and George Fowler High School, Syracuse; Frazer School, Syracuse and SUNY College of Environmental Science and Forestry; Onondaga-Cortland-Madison BOCES Early Childhood Education Program, Liverpool, and Martin Luther King, Jr. Community School, Syracuse; and, Blodgett Elementary School and Webster Elementary School, Syracuse.

The Board concluded its monthly meeting with a luncheon and meeting of the Full Board at the Museum of Science and Technology in Syracuse.