



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 September 2014 Meeting  
**DATE:** October 10, 2014  
**AUTHORIZATION(S):** *J. B. G. Jr.*  
Executive Summary

Issue for Decision

Review of the Summary of the September 2014 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of September 2014 meeting.

Procedural History

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

Recommendation

Approval of the Summary of the September 2014 meeting.

Timetable for Implementation

Effective October 21, 2014.

**VOTED**, that the Summary of the September 2014 Meeting of the Board of Regents of The University of the State of New York be approved.



***SUMMARY OF THE SEPTEMBER 2014 MEETING  
OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF THE STATE OF NEW YORK***

***Held at the State Education Building***

***Albany, New York***

***September 15 and 16, 2014***

***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, September 15, 2014 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, September 15 at 9:00 a.m.**

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

Merryl H. Tisch, Chancellor  
Anthony S. Bottar, Vice Chancellor  
Robert M. Bennett, Chancellor Emeritus  
James C. Dawson  
Harry Phillips, 3<sup>rd</sup>  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
Kathleen M. Cashin  
T. Andrew Brown  
Josephine Victoria Finn

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent James E. Cottrell was absent and excused.

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

### **ACTION ITEMS**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Tuesday, September 16, 2014 at 11:15 a.m. to discuss personnel and litigation matters.

**Motion by:** Vice Chancellor Anthony S. Bottar  
**Seconded by:** Regent Harry Phillips, 3<sup>rd</sup>  
**Action:** Motion carried unanimously

## **PRESENTATION**

### **September 11th Memorial Video**

Mark Schaming, presented a video of The Family Room at One Liberty Plaza exhibit at the World Trade Center Exhibition in the New York State Museum.

## **DISCUSSION ITEM**

### **Multiple Pathways**

Cosimo Tangorra and Chuck Szuberla led a discussion on Multiple Pathways to Graduation (Attachement I).

Chancellor Merryl H. Tisch adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, September 16 at 11:15 a.m.**

**Board Members in Attendance:**

Merryl H. Tisch, Chancellor  
Anthony S. Bottar, Vice Chancellor  
Robert M. Bennett, Chancellor Emeritus  
James C. Dawson  
Harry Phillips, 3<sup>rd</sup>  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
Kathleen M. Cashin  
Josephine Victoria Finn

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

Vice Chancellor Anthony S. Bottar called the meeting to order at 11:15 a.m.

**ACTION ITEMS**

**Charter Applications  
BR (A) 1**

**MOVED**, that the Board of Regents approve each application in accordance with the recommendations contained in the summary table (see Appendix I).

**Summary of the July 2014 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the July 2014 Meeting of the Board of Regents of The University of the State of New York be approved.

**Regent Monthly Meeting Dates, January – December 2015  
BR (A) 5**

**MOVED**, that the list of Regents meeting dates for the period January – December 2015 is approved.

**Motion by:** Chancellor Emeritus Robert M. Bennett  
**Seconded by:** Regent Harry Phillips 3<sup>rd</sup>  
**Action:** Motion carried unanimously

## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

#### **Conferral of Degrees: American Museum of Natural History, Taylor Business Institute and Elim Bible Institute and College BR (CA) 1**

**MOVED**, that the Board of Regents confer upon the following individuals, who have completed the requirements for their registered degree program at American Museum of Natural History, Taylor Business Institute or Elim Bible Institute and College, the respective degrees as listed.

#### **Emergency Adoption of Amendments to Section 52.21 and Part 80 of the Regulations of the Commissioner of Education to Provide Teacher Candidates, Who Apply for Teacher Certification Prior to June 30, 2015 and Who Take and Fail the Teacher Performance Assessment (edTPA), With the Option of Obtaining and Initial Certificate if the Candidate Passes the ATS-W Prior to June 30, 2015 and Subsequent to Receiving His/Her Score on the edTPA or Who Pass the ATS-W Prior to the Requirements for the New Certification Examinations and Who Takes and Fails the edTPA Prior to June 30, 2015 BR (CA) 2**

**MOVED**, that subclause (1) of clause (b) of subparagraph (iv) of paragraph (2) of subdivision (b) of section 52.21, paragraph (2) of subdivision (b) of section 80-3.3, section 80-3.4 and subparagraph (ii) of paragraph (1) of subdivision (b) of section 80-5.13 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 23, 2014, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that teacher candidates who will be applying for certification on or after May 1, 2014 and prior to June 30, 2015, have timely and sufficient notice that, if they fail the edTPA and subsequently take and pass the ATS-W prior to June 30, 2015, they may receive an initial certificate and to ensure that the emergency rule adopted at the July 2014 meeting remains continuously in effect until it can be adopted as a permanent rule.

**Permission to Operate: Rutgers, The State University of New Jersey, Instituto de Estudios Superiores de la Empresa (IESE Business School), Stanford University and The Reformed Theological Seminary  
BR (CA) 3**

**MOVED**, that the Board of Regents grant permission to Rutgers, The State University of New Jersey, to operate in New York to offer a Master of Arts (MA) degree program in Political Science – Concentration in United Nations Studies, for a five-year period beginning on September 16, 2014, and ending on September 30, 2019.

**MOVED**, that the Board of Regents grant permission to IESE Business School to operate in New York to offer selected modules from three of its Master of Business Administration (MBA) programs. This approval will be effective for a five-year period beginning on September 16, 2014, and ending on September 30, 2019.

**MOVED**, that the Board of Regents grant permission to Stanford University to operate in New York to offer a “Stanford in New York City” program, comprising of an internship and 15 to 18 academic credits studying the artistic, architectural, and cultural life in New York City. This approval will be effective for a five-year period beginning on September 16, 2014, and ending on September 30, 2019.

**MOVED**, that the Board of Regents grant permission to the Reformed Theological Seminary to operate in New York to offer part (up to 49 percent) of its Master of Arts in Biblical Studies degree program in New York City. This approval will be effective for a five-year period beginning on September 16, 2014, and ending on September 30, 2019.

**Proposed Amendments to Section 30-2.1 of the Rules of the Board of Regents to Define Performance for Purposes of Termination Decisions for Probationary Teachers Relating to Annual Professional Performance Reviews (APPR)  
BR (CA) 4**

**MOVED**, that Section 30-2.1 of the Rules of the Board of Regents be amended, as submitted, effective September 22, 2014 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 clarify current regulation by defining performance for termination decisions related to APPR ratings; and it is further

**MOVED**, that Section 30-2.1 of the Rules of the Board of Regents be amended, as submitted, effective October 1, 2014.

**State University College at Old Westbury: Regents Authorization to Award the  
Master of Arts (M.A.) Degree  
BR (CA) 5**

**MOVED**, that the Board of Regents authorizes the State University of New York Board of Trustees to award the Master of Arts degree on students who successfully complete registered programs at the State University College at Old Westbury effective September 16, 2014.

**Villa Maria College of Buffalo: Master Plan Amendment to Offer Bachelor of Arts  
(B.A.) Degree in Psychology  
BR (CA) 6**

**MOVED**, that the Board of Regents approves a master plan amendment to authorize Villa Maria College of Buffalo to offer its first baccalaureate degree in the discipline of the Social Sciences. This amendment will be effective until September 30, 2015, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**P-12 Education**

**Appointments to the New York State School for the Deaf Board of Visitors  
BR (CA) 7**

**MOVED**, The following individuals will be appointed to fill two vacancies on the New York State School for the Deaf Board of Visitors: Betty Sabia will be appointed to serve a five-year term ending June 30, 2019; and Roman Kazragis will be appointed to serve a five-year term ending June 30, 2019.

**Proposed Amendment of Section 100.2(ee) of the Commissioner's Regulations,  
Relating to Academic Intervention Services (AIS)  
BR (CA) 8**

**MOVED**, That paragraph (2) of subdivision (ee) of section 100.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 16, 2014, as an emergency measure upon a finding of the Board of Regents that such action is necessary for the preservation of the general welfare to immediately establish modified requirements for the provision of Academic Intervention Services for the 2014-15 school year, for purposes of providing districts with flexibility to address the change in student rates of proficiency on the 2013 grades 3-8 assessments in English Language Arts and mathematics, and thereby ensure the timely implementation of the modified AIS requirements by school districts in the 2014-15 school year.



**Amendment of Section 100.5(d) of the Commissioner's Regulations Relating to Transfer High School Credit for Students in State Agency Educational Programs  
BR (CA) 9**

**MOVED**, that paragraphs (1), (5), (8), (9) and (10) of subdivision (d) of section 100.5 of the Commissioner's Regulations be amended as submitted, effective October 1, 2014.

**Proposed Amendment of 100.5(d)(6) of the Regulations of the Commissioner Relating to Expansion of Integrated Credits in Approved CTE Programs  
BR (CA) 10**

**MOVED**, that paragraph (6) of subdivision (d) of section 100.5 be amended, as submitted, effective October 1, 2014.

**Proposed Amendment to Sections 200.16(c) and 200.20(b) of the Regulations of the Commissioner of Education Relating to Special Education Services and Programs for Preschool Children with Disabilities  
BR (CA) 11**

**MOVED**, that paragraph (3) of subdivision (c) of section 200.16 of the Regulations of the Commissioner of Education be amended, and that a new paragraph (3) of subdivision (b) of section 200.20 be added, as submitted, effective October 1, 2014.

**Proposed Amendment of 100.5(g)(1)(ii) of the Regulations of the Commissioner, Relating to the Transition to Common Core-Aligned Regents Examinations in Mathematics (Geometry)  
BR (CA) 12**

**MOVED**, that subparagraph (ii) of paragraph (1) of subdivision (g) of section 100.5 of Commissioner's Regulations be amended as submitted, effective October 1, 2014.

**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) 13 - REVISED**

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

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 14**

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

**Master Plan Amendment Authorizing the State University College at Plattsburgh  
Branch Campus in Queensbury to Offer a Bachelor of Science Degree Program in  
Nursing  
BR (CA) 15**

**MOVED**, that the Department has determined that the proposed program meets the standards of registration as set forth in the Regulations of the Commissioner of Education. It is recommended that the Board of Regents approve the amendment to the master plan of the State University of New York College at Plattsburgh, Branch Campus in Queensbury, NY to offer the upper-division nursing program leading to the B.S. degree.

**Regents Authorization for the City University of New York (CUNY) Graduate  
School and University Center to Award the Master of Public Health (M.P.H.)  
Degree  
BR (CA) 16**

**MOVED**, that the Board of Regents authorize the CUNY Board of Trustees to award the M.P.H. degree at the Graduate School and University Center effective September 16, 2014.

**Regents Permission to Operate in New York State: The George Washington  
University  
BR (CA) 17**

**MOVED**, that the Regents approve the proposed permission to operate, effective September 16, 2014, which authorizes The George Washington University to use clinical agencies in New York to provide clinical education for a total of eight students enrolled in the Adult-Gerontology Nurse Practitioner program or the Family Nurse Practitioner program both leading to the M.S.N. degree or the Advanced Certificate.

**Regents Permission to Operate in New York State: Yale University/Woman's  
Health Nurse Practitioner Program  
BR (CA) 18**

**MOVED**, that the Regents approve the proposed extension of permission to operate, effective September 16, 2014, which authorizes Yale University to use clinical agencies in New York to provide clinical education for a total of six students enrolled in the NM/WHNP program leading to the Master of Science in Nursing degree (M.S.N.).

**Motion by:** Regent James R. Tallon, Jr.  
**Seconded by:** Regent Harry Phillips, 3<sup>rd</sup>  
**Action:** Motion carried unanimously

## **STANDING COMMITTEE REPORT**

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

Your ACCES Committee held its scheduled meeting on September 15, 2014. All members were present.

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

Bureau of Proprietary School Supervision (BPSS) Update – The Committee was provided an update on the positive changes that have been implemented due to the new legislation that went into effect on December 15, 2012. Since the implementation of the statutory change, BPSS has seen significant improvement in practice and results. While there is still room for improvement, SED has begun to position itself to provide better service and oversight of this sector.

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

The Regents Committee on Audits/Budget and Finance met today, as scheduled.

Items Discussed

#### Completed Audits

The Internal Audit Workgroup reviewed the 44 audits that are being presented to the Committee this month. Three audits were issued by the Office of Audit Services, 38 were by the Office of the State Comptroller (OSC), and three by the New York City Office of the Comptroller. Thirty-seven audits were of school districts, two were of special education services providers, one was of a charter school, one was of a Department account and three were of New York City Department of Education's functions.

The findings were in the areas of budgeting, financial reporting, cash, procurement, and payroll.

#### 2014 Fiscal Report

Our Chief Financial Officer briefed the Members on the Fiscal Report for August. Extensive spending controls continue for all funds. General Fund spending reflects the amounts appropriated in the 2014-15 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 being reduced by approximately \$800,000.

## **CULTURAL EDUCATION**

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report.

Your Committee on Cultural Education Committee had its scheduled meeting on July 15, 2014. In attendance were committee members: Regents Tilles, Dawson, Bendit, Rosa, Cea and Brown. Absent: Regent Cottrell. In addition to CE Committee Members, in attendance were: Regents Norwood, Tallon, Cashin and Phillips as well as Commissioner King and Executive Deputy Commissioner Berlin.

## **ITEMS FOR DISCUSSION**

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

Deputy Commissioner's Remarks:

Deputy Commissioner Jeffrey Cannell provided a brief update on key programmatic activities and accomplishments of OCE including the Summer School of the Arts 2014 season, a report on the Uncommon Approaches to the Common Core workshop that was hosted by the Office of Cultural Education in mid-August, a Museum exhibit on the Passenger Pigeon and an upcoming major exhibit on the Shakers. Mr. Cannell also announced the retirement of Christine Ward from the position of State Archivist and stated that Thomas Ruller, Director of Operations for OCE will be serving as interim-State Archivist.

Educational Services from Public Broadcasting- Update

Elizabeth Hood, Director of Educational Television and Public Broadcasting introduced Robert Altman, President of station WMHT; John D. Craig, Vice President – Education & Outreach Western New York Public Broadcasting Association; Jon Rubin Senior Director, Education Services Thirteen WNET; and Katherine P. Jetter Vice President, Education if station WMHT. The panel showed a short video on the role of public broadcasting in supporting education, especially programming that supports the Common Core Learning Standards. The panel also presented information and data on the variety, reach and effectiveness of their education services, including broadcast programs, web-based services, and outreach to high need families and schools. The

stations provide services for teachers and families to use with children from age two right up through high school, with particular emphasis on our youngest children and the K-12 population.

## **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on September 16, 2014

### **Action Items**

#### **Renewal of Institutional Accreditation: Cold Spring Harbor Laboratory.**

Your Committee recommends that the Board of Regents renew the institutional accreditation of Cold Spring Harbor Laboratory for a period of seven years, with the provision that required annual reports address the recommendations in the compliance review report.

### **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 September 16, 2014, copies of which have been distributed to each member of the Board of Regents.

### **Other matters not requiring action:**

#### **Update on the Test Security Unit and the status of test security matters in New York State.**

Your Committee received an update on the progress of the Test Security Unit (TSU). The presentation included a review of the TSU's operations, the work that it has done during the two years since it became fully operational in August of 2012, and the current status of test security matters in New York State.

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on September 15, 2014. All members were present.

## **ACTION ITEMS**

### Beginning With Children Charter School [P-12 (A) 1]

Your Committee recommends that the Board of Regents finds that the proposed revised charter: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will permit the charter school to operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the above listed charter revision as proposed by Chancellor of the NYCDOE and the provisional charter for the Beginning with Children Charter School is amended accordingly.

### Rochdale Early Advantage Charter School [P-12 (A) 2]

Your Committee recommends that the Board of Regents finds that the proposed revised charter: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will permit the charter school to operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the above listed charter revision as proposed by Chancellor of the NYCDOE and the provisional charter for the Rochdale Early Advantage Charter School is amended accordingly.

### Proposed Addition of Subparts 154-1 and 154-2 of Commissioner's Regulations [P-12 (A) 3]

Your Committee recommends that Part 154 of the Regulations of the Commissioner of Education relating to the Department's effort to improve instruction and programming for English Language Learner (ELL) students, be amended as submitted, effective October 1, 2014, to add new Subparts 154-1 and 154-2. The Committee was provided with information on the proposed regulatory changes and an overview of the public comment received, both supportive comments and comments of concern. Committee members raised concern over the additional resources that will be necessary to fully implement the changes. The proposed amendments were approved by the Committee and will go before the Full Board for adoption at their September 16, 2014 meeting.

## **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 September 16, 2014, copies of which have been distributed to each Regent.

## **MATTERS NOT REQUIRING BOARD ACTION**

Computer Science and Coding in the K-12 Setting [P-12 (D) 1] – Many of today's newly created jobs, including those that offer good compensation packages and a positive work/life balance, are those that involve computer science and coding. At today's meeting, the P-12 Education Committee discussed the benefits of computer science and coding in the K-12 setting as it promises long-term equity benefits, particularly for girls and students of color, who are typically underrepresented in these fields. The Committee recommends that Department staff issue a field memo highlighting the flexibility in existing regulations that allows schools and districts to offer courses in computer science and coding that can be used to meet graduation requirements.

Roadmap for Social Studies [P-12 (D) 2] – The Committee discussed a roadmap for a comprehensive approach to Social Studies following the Board's approval of the New York State K-12 Social Studies Framework at its April 2014 meeting. This roadmap includes plans for the release of instructional resources, proposed adjustments to high school course requirements, and a timeline for updates to Social Studies Regents Exams. The Board directed staff to develop amendments to regulations to modify course requirements to include two required units of study in Global History and Geography or equivalent, and, in turn, the Regents Exam that measures student knowledge and skills for graduation measure student knowledge and skills only in the Global History and Geography II (Grade 10) course. The new Regents Examination in Global History and Geography II will be first administered in June 2018, and the new Regents Examination in United States History and Government will be first administered in June 2019. Additionally, staff will advise the field to commence instruction aligned to the Framework in grades Kindergarten to Grade 8. Instruction based on the Framework for Grades 9-12 will be phased in beginning with Grade 9 in the 2016-17 school year.

Access to Advanced Coursework [P-12 (D) 3] – The Committee was provided information on advanced coursework offered to students in grades 9-12. Statewide, while 94% of students in the 2009 cohort were still enrolled in high school through the beginning of their fourth year of study, only about half of those students participated in one or more of the exams necessary to earn the Advanced Designation diploma. The Board directed staff to generate additional analyses as needed and generate options for how best to support school and district efforts to prepare students for college and career readiness through enrollment in advanced coursework. Committee members asked for disaggregated information for New York City by borough. Additionally, they asked that an analysis be provided on what the ideal size of a high school should be to be able to offer these kinds of programs.

Presentation by Superintendents from the NYS School for the Blind and NYS School for the Deaf [P-12 (D) 4] – the Committee was provided with a presentation and overview of the New York State School for the Blind and New York State School for the Deaf by

their Superintendents – Barbara Lemen and David Hubman, respectively. The Superintendents provided a brief background of the schools and an overview of the educational programs they provide for their students.

Arts Assessment Study [P-12 (D) 5] – The Committee continued their discussion from a previous meeting on the establishment of an arts pathway to graduation. The Committee recommended that an operational study be undertaken to establish criteria to identify and evaluate arts assessments in each discipline that signify college and career readiness as well as those that are truly worthy of Regents recognition. The process will begin with the establishment of an Arts Advisory Panel consisting of members knowledgeable about arts assessment, including representatives from the New York State Dance Education Association, the NYS Media Arts Teachers Association, the NYS School Music Association, the NYS Theatre Education Association and the NYS Art Teachers Association as well as nationally recognized experts in the field of arts assessment. The Arts Advisory Panel will identify assessments for review; develop a framework for reviewing selected assessments and provide a concise format for presenting results. Staff will report back in early spring with the results and findings of the Arts Advisory Panel.

Safe Schools Task Force Recommendations [P-12 (D) 6] – The Committee was presented with a report of the 36 recommendations of the Safe Schools Task Force. Two members of the Task Force discussed how the recommendations were developed and the importance of the adoption of the recommendations. The Task Force members present were Thomas O'Brien, Superintendent of the Roxbury Central School District and Priti Irani, from the NYS Department of Health. The Committee directed staff to finalize the budget and legislative initiatives that reflect the recommendations of the Task Force with a focus on the following next steps:

- Modernize data collection and reporting
- Provide support and Ensure accountability
- Enhance oversight through regular monitoring and audits.

Proposed Amendments to Subpart 154-2 of the Commissioner's Regulations [P-12 (D) 7] – the Committee discussed technical amendments to allow parents an additional five days to return to the school district the signed notification form regarding student placement and to permit school districts to apply for a waiver of the professional development requirements addressing the needs of English Language Learners under certain circumstances. Following a 45-day public comment period, it is anticipated that the proposed amendments will be brought to the Board of Regents for adoption at their December meeting.

Proposed Addition of Subpart 154-3 of the Commissioner's Regulations [P-12 (D) 8] – the Committee discussed proposed amendments to regulations that would establish criteria for determining whether a student with a disability shall take the statewide English language proficiency identification and criteria for exiting students with disabilities from identification as an English Language Learner. Following a 30-day



public comment period, it is anticipated that this proposed addition to regulations will be brought to the Board of Regents for adoption at their November meeting.

### Consent Agenda Items

The Board of Regents will take action on the following consent agenda items at their September 16, 2014 meeting.

- Appointments to NYS School for the Deaf Board of Visitors
- Preschool Special Education Regulations
- Academic Intervention Services Regulations
- Transfer High School Credit for Students in State Agency Educational Programs
- CTE Integrated Credit Expansion
- Geometry Regulations

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

Your P-12 Education Committee and Adult Career and Continuing Education Services Committee (ACCES) held a joint meeting on September 15, 2014. All members were present.

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

Olmstead Update - Full Integration for Students and Adults with Intellectual and Developmental Disabilities [P-12/ACCES (D) 1] – The Committees received additional information on initiatives that ensure State services, programs, and activities are provided to students and adults in settings that allow individuals with disabilities to interact with their nondisabled peers to the fullest extent possible, and are consistent with New York State's Olmstead Implementation Plan. The Office for People with Development Disabilities (OPWDD) initiated its Transformation Agreement to reform its system of supports and services for individuals with developmental disabilities in the areas of employment, integrated living and self-direction of services. ACCES-Vocational Rehabilitation (VR), P-12's Office of Special Education, and Independent Living Centers (ILCs) are involved in several initiatives to support the transition of students with disabilities to integrated employment settings and facilitate the transition of individuals from day habilitation programs and sheltered employment to competitive employment. Department staff will invite OPWDD to engage in a discussion of opportunities for additional collaboration to ensure full implementation of New York State's Olmstead plan for integration.

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

Your P-12 Education Committee and Higher Education Committee held a joint meeting on September 15, 2014.

Item not requiring action:

### **Proposed Amendment of Section 135.4 and addition of Section 135.7 of the Regulations of the Commissioner of Education relating to Child Abuse and Maltreatment Identification and Reporting Coursework or Training for Coaches.**

On August 6, 2014, the Governor signed into law Chapter 205 of the Laws of 2014 which added a new Education Law §3036 to require all individuals currently holding or applying for a temporary coaching license or a professional coaching certificate, to complete two hours of training regarding the identification and reporting of child abuse and maltreatment. Chapter 205 of the Laws of 2014 also amended the Social Services Law to expressly include coaches as mandated reporters of suspected child abuse. Your Committees discussed amending Section 135.4 and adding a new Section 135.7 to the Regulations of the Commissioner of Education relating to Child Abuse and Maltreatment Identification and Reporting Coursework or Training for Coaches. A Notice of Proposed Rule Making will be published in the State Register on October 1, 2014. It is anticipated that the proposed rule will be presented for adoption at the December 2014 Regents meeting.

### **Update from The College Board.**

Stacy Caldwell, Vice President, SAT® and PSAT/NMSQT® Assessment Programs at the College Board and Michael O'Sullivan the Senior Director of Government Relations for The College Board in the Middle States Region provided an update on its work over the last several years. The presentation focused on revisions that have been made to the SAT and PSAT to show that they are aligned to recognized college and career readiness standards, and the use of the PSAT as a diagnostic assessment. In addition an update on their Advanced Placement Program, and their "Opportunity Agenda" was provided.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on September 16, 2014. All committee members were present, except Regent James E. Cottrell, who was excused. Regent James C. Dawson, Regent Kathleen M. Cashin, Regent Josephine Victoria Finn and Regent James R. Tallon, Jr. 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 five cases and be clarified in three of those cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 48 consent order applications and 24 surrender applications be granted. [PPC EXS (A) 1-3]

In the case of Kimberly A. Young, Licensed Practical Nurse, Cal. No. 27066, the recommendation of the Regents Review Committee as to the penalty be accepted based upon the merits as to the appropriate penalty in this matter without adopting a per se rule that a minimum three month suspension from practice be imposed in all cases of medication diversion.

In the case of Erin A. Marra, Licensed Practical Nurse, Cal. No. 27272, the recommendation of the Regents Review Committee as to the penalty be accepted based upon the merits as to the appropriate penalty in this matter without adopting a per se rule that a minimum three month suspension from practice be imposed in all cases of medication diversion.

In the case of Debra Lynn Mattoon, Licensed Practical Nurse, Cal No. 27313, the recommendation of the Regents Review Committee as to the penalty be accepted based upon the merits as to the appropriate penalty in this matter without adopting a per se rule that a minimum three month suspension from practice be imposed in all cases of medication diversion.

These recommendations are made following the review of 77 cases involving twenty registered professional nurses, eighteen licensed practical nurses, six licensed practical nurses who are also registered professional nurses, six veterinarians, five pharmacists, three dental hygienists, two certified public accountants, two dentists, one certified public accountant professional corporation, one clinical laboratory technologist, one dentist who is also a holder of a certificate to administer dental general anesthesia, one licensed master social worker, one massage therapist, one ophthalmic dispenser, one physical therapist, and one speech-language pathologist.

### Restorations

Your Committee recommends the following:

That the surrender of Madge Flynn's license to practice as a licensed clinical social worker in the State of New York be stayed, that she be placed on probation for five years under the terms of probation attached as Exhibit A to the Report of the Committee

on the Professions, and that, after successful completion of probation, her license be fully restored. [PPC EXS (A) 5]

That the application of Alexander Sporn for the restoration of his license to practice as a physician in the State of New York be denied. [PPC EXS (A) 6]

## **Approvals**

### **Regulations Relating to the Registration and Regulation of Outsourcing Facilities**

– Your Committee recommends the following:

VOTED: That subdivision (a) of section 29.2 and paragraph (17) of subdivision (a) of section 29.7 of the Rules of the Board of Regents and paragraphs (2) and (4) of subdivision (a) and subdivision (c) of section 63.6 and section 63.8 of the Regulations of the Commissioner of Education are amended, as submitted, effective October 1, 2014; it is further

VOTED: That subdivision (a) of section 29.2 and paragraph (17) of subdivision (a) of section 29.7 of the Rules of the Board of Regents and paragraphs (2) and (4) of subdivision (a) and subdivision (c) of section 63.6 and section 63.8 of the Regulations of the Commissioner of Education are amended, as submitted, effective September 22, 2014, 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 wealth to ensure that the emergency rule adopted at the June 2014 Regents meeting to implement the requirements of Part D of Chapter 60 of the Laws of 2014 remains continuously in effect until the proposed amendment is adopted as a permanent rule, so that outsourcing facilities seeking to prepare and/or distribute compounded sterile drugs and products in New York will be on notice of the compliance and registration requirements for such facilities in this State. [PPC (A) 1]

### **Regulations Relating to the Certification of Clinical Nurse Specialists and Nurse Practitioners** – Your Committee recommends the following:

VOTED: That paragraph (3) of subdivision (b) of section 52.12 of the Regulations of the Commissioner of Education is added, subdivision (b) of section 64.4 is amended, paragraph (1) of subdivision (c) of section 64.4 is repealed and paragraphs (2) and (3) of subdivision (c) are renumbered as paragraphs (1) and (2), respectively, subdivision (d) of section 64.4 is repealed and subdivision (e) of section 64.4 is re-lettered as subdivision (d), and section 64.8 is added, as submitted, effective October 1, 2014; and it is further

VOTED: That paragraph (3) of subdivision (b) of section 52.12 of the Regulations of the Commissioner of Education is added, subdivision (b) of section 64.4 is amended, paragraph (1) of subdivision (c) of section 64.4 is repealed and paragraphs (2) and (3) of subdivision (c) are renumbered as paragraphs (1) and (2), respectively, subdivision

(d) of section 64.4 is repealed and subdivision (e) of section 64.4 is re-lettered as subdivision (d), and section 64.8 is added, as submitted, effective September 27, 2014, 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 in order to timely implement the requirements of Chapter 364 of the Laws of 2013. [PPC (A) 2]

## **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 September 16, 2014, copies of which have been distributed to each Regent.

## **MATTERS NOT REQUIRING BOARD ACTION**

Your Committee discussed several topics of interest, including:

### **Deputy Commissioner's Report/Update [Oral Report] –**

- Full Board Consent Agenda Items
  - Board (Re)Appointments
  - Licensing Petitions and Conferral of Degrees
  - Master Plan Amendment – SUC Plattsburgh Queensbury (Nursing Program)
  - Permission to Operate – George Washington University
  - Permission to Operate Renewal – Yale University
  - Regents Authorization – CUNY Graduate School (MPH degree)
- Updates on OP Initiatives
  - Technology Update
  - Legislation
  - Staffing/Productivity Update

**Regulations Relating to the Practice of Dental Hygiene Pursuant to Collaborative Arrangements [PPC (D) 1] –** The proposed rule would allow dental hygienists working for hospitals, as defined by Article 28 of the Public Health Law, pursuant to a collaborative arrangement with a licensed and registered dentist, who has a formal relationship with the same hospital, to provide dental services that are currently provided under general supervision, without the physical presence of the collaborating dentist during the provision of such services. [PPC (D) 1]

**Regulations Relating to the Regulation of Nurse Practitioner Practice [PPC (D) 2] –** The proposed rule would establish criteria for authorizing qualified nurse practitioners to practice, pursuant to collaborative relationships, with one or more licensed physicians or a hospital licensed under Article 28 of the Public Health Law, in lieu of practicing in collaboration with a physician in accordance with a written practice agreement and written practice protocols. [PPC (D) 2]

**Recognition of Services Provided by Mary Ellen Clerkin** – Richard Trautwein, Counsel and Deputy Commissioner for Legal Affairs, Douglas Lentivech, Deputy Commissioner for the Professions, and Vice-Chancellor Bottar offered thanks to Mary Ellen Clerkin for her 16.5 years of service to the State Education Department, the Office of the Professions, the Board of Regents, and as Counsel to the Professional Practice Committee. They also offered her congratulations on her upcoming retirement.

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

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

### **ACTION ITEMS**

#### **State Education Department August 2014 Fiscal Report BR (A) 3**

**MOVED**, that the Board accepts the August 2014 State Education Department Fiscal Report as presented.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Chancellor Emeritus Robert M. Bennett  
**Action:** Motion carried unanimously

#### **Acceptance of a \$350,000 Grant from the William & Flora Hewlett Foundation BR (A) 4**

**MOVED**, that the Board of Regents accepts the sum of \$350,000 from the William & Flora Hewlett Foundation to support the work of the USNY Regents Research Fellowship Program.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Harry Phillips, 3<sup>rd</sup>  
**Action:** Motion carried unanimously

## **RESOLUTIONS**

### **Resolution in Recognition of the Service and Dedication of Christine W. Ward**

Regent Roger Tilles presented Chris Ward with a certificate in recognition for her years of service to the Department (Attachment II).

### **Resolution in Recognition of Distinguished Service to Mary Ellen Clerkin, Esq.**

Vice Chancellor Anthony S. Bottar presented Mary Ellen Clerkin with a certificate of recognition for her years of service to the Department (Attachment III).

### **Resolution Commemorating the 75<sup>th</sup> Anniversary of the Yellow School Bus “National School Bus Chrome”**

Commissioner King presented the resolution to Peter Manella, Executive Director, New York State Association for Pupil Transportation (Attachment IV).

### **Resolution in Recognition of Diane O’Neill McGivern**

Chancellor Emeritus Robert M. Bennett on behalf of the Board publicly expressed sentiments regarding former Vice Chancellor Diane O’Neill McGivern. The resolution was sent to Dr. Bernard “Bud” McGivern (Attachment V).

## **PRESENTATIONS**

### **Announcement of the Marge Tierney Scholarship Award Winner**

The 2014 Marge Tierney Scholarship was awarded by Commissioner John B. King, Jr. to Elizabeth Attanasio who works in the Hauppauge ACCES-VR Office.

### **Teacher of the Year**

Commissioner King announced the 2015 Teacher of the Year Award to Charles Giglio, of Gloversville High School, Gloversville, New York. Mr. Giglio also received the Commissioner Thomas Sobol Award and the David Johnson Award.

Ashli Skura Dreher, of Lewiston-Porter Senior High School, Youngstown, New York provided an overview of her experiences as 2014 Teacher of the Year.

Charles Giglio provided brief remarks to the Board upon presentation of his award.

Vice Chancellor Anthony S. Bottar adjourned the meeting at 11:45 a.m.

**Appendix I**  
**NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS**

| <b>Name of Institution</b>                      | <b>Program Area</b> | <b>County of Location</b> | <b>Description of Charter Action(s)</b>  |
|---|---------------------|---------------------------|--|
| Charles L. English Windsor Museum               | CE                  | Broome                    | Grant provisional charter for five years.  |
| Dryden Town Historical Society                  | CE                  | Tompkins                  | Amend charter to change the corporate address.   |
| Henderson Free Library                          | CE                  | Jefferson                 | Amend charter to: <ul style="list-style-type: none"> <li>• designate the library's service area to be coterminous with the Town of Henderson;</li> <li>• specify number of trustees to be not less than eight nor more than twelve;</li> <li>• designate Commissioner as agent for service; and</li> <li>• update IRS dissolution language.</li> </ul> |
| Historic Amsterdam League                       | CE                  | Montgomery                | Grant a Regents certificate of incorporation.  |
| The Hudson Institute of Mineralogy              | CE                  | Westchester               | Consent to filing of certificate of assumed name "Mindat.org".   |
| Kirkland Town Library                           | CE                  | Oneida                    | Amend charter to change the trustee term length from five years to three years.  |
| Lee Young Hee Museum of Korean Culture          | CE                  | New York                  | Dissolve charter and approval to distribute assets to The Cultural Expo Foundation in Korea.   |
| The McAndrews Estate Preservation Society       | CE                  | Westchester               | Grant a Regents certificate of incorporation   |
| The Museum of Music & Entertainment in New York | CE                  | New York                  | Grant provisional charter for five years.  |
| North Tonawanda History Museum                  | CE                  | Erie                      | Grant an absolute charter.   |
| Northville/Northampton Historical Society       | CE                  | Fulton                    | Amend purposes, change the corporate address and extend provisional charter for five years   |
| Suffern Free Library                            | CE                  | Rockland                  | Amend charter to change the number of trustees from five to nine.  |



|   |      |             |  |
|---|------|-------------|--|
| Town of Ossian Historical Society       | CE   | Livingston  | Grant an absolute charter.   |
| The Toy Museum of NY                    | CE   | Brooklyn    | Extend provisional charter for five years.   |
| West Nyack Free Library                 | CE   | Rockland    | Amend charter to expand the library's service area.  |
| Woodchuck Lodge                         | CE   | Delaware    | Amend, replace, and restate the Regents certificate of incorporation as a provisional charter for five years, including a change of name to "John Burroughs' Woodchuck Lodge". |
| The Birch School                        | P-12 | Orange      | Grant provisional charter for three years.   |
| Brooklyn Jesuit Prep                    | P-12 | Kings       | Extend provisional charter for three years.  |
| The Canandaigua Montessori School       | P-12 | Ontario     | Extend provisional charter for three years.  |
| Grand Care Center                       | P-12 | Broome      | Dissolve absolute charter.   |
| John A. Coleman School                  | P-12 | Westchester | Extend provisional charter for three years.  |
| The Manhattan Free School               | P-12 | New York    | Amend charter to change the corporate name to "Agile Learning Center", change the corporate address and increase the maximum number of trustees to be 50.                      |
| Mountain Road School                    | P-12 | Columbia    | Amend charter to change the corporate address.   |
| Bethel Seminary of the East in New York | HE   | Queens      | Dissolve provisional charter.  |

## Appendix II

### REGENTS ACTIONS IN 77 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS

September 15-16, 2014

The Board of Regents announced disciplinary actions resulting in the surrender of 23 licenses and 1 certificate, and 53 other disciplinary actions, including 1 reconsideration.

The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 2 restoration petitions.

#### I. SURRENDERS

##### Dentistry

**James Theodore Strychalski**; Dentist, Dental General Anesthesia; Dunkirk, NY 14048; Lic. No. 024679, Cert. No. 000196; Cal. Nos. 27307, 27308; **Application to surrender license and certificate granted. Summary:** Licensee admitted to the charge of failing to provide appropriate emergency care in a timely manner.

**Martin Eshkov**; Dentist; Inverness, FL 34452; Lic. No. 021442; Cal. No. 27620; **Application to surrender license granted. Summary:** Licensee admitted to charges of failing to document, while treating a patient, any periodontal charting; the conditions of periodontium and soft tissue; the medical history for said patient; any other pathologies; and failing to obtain informed consent from said patient.

**Meredith Marie Knodel**; Dental Hygienist; Denver, CO 80205; Lic. No. 026406; Cal. No. 27693; **Application to surrender license granted. Summary:** Licensee admitted to the charge of practicing dental hygiene while having an expired license in the State of Colorado.

**Betty J. Mason**; Dental Hygienist; Indianapolis, IN 46278; Lic. No. 017278; Cal. No. 27694; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted in California of Grand Theft and Driving under the Influence of Alcohol.

##### Nursing

**Gloria F. Augenstein**; Licensed Practical Nurse; Middle Island, NY 11953; Lic. No. 109900; Cal. No. 27073; **Application to surrender license granted. Summary:** Licensee could not successfully defend against the charge of administering a placebo to a patient without a physician's order to do so when she was not licensed or otherwise authorized to practice any profession whose members could lawfully write prescriptions.

**Deborah McGraw Bernard**; Registered Professional Nurse; Fulton, NY 13069; Lic. No. 236995; Cal. No. 27485; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having committed medication administration errors.

**Anne T. Riley**; Registered Professional Nurse; Amsterdam, NY 12010; Lic. No. 282109; Cal. No. 27543; **Application to surrender license granted. Summary:** Licensee admitted to charges of having been convicted of Falsifying Business Records in the 2<sup>nd</sup> Degree, Conspiracy in the 6<sup>th</sup> Degree, and Driving While Intoxicated.

**Donald G. Waite a/k/a Donald Grant Waite**; Registered Professional Nurse; Garden Grove, CA 92845-2806; Lic. No. 272113; Cal. No. 27573; **Application to surrender license granted. Summary:** Licensee did not contest the charge of practicing the profession of nursing while the ability to practice was impaired by drugs.

**LeaRae Sauter**; Licensed Practical Nurse; Niagara Falls, NY 14304-4123; Lic. No. 299621; Cal. No. 27583; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Petit Larceny.

**Jo Ann Ullstrom Mickles a/k/a Jo Ann Mickles a/k/a Joann Ullstrom**; Registered Professional Nurse; Los Osos, CA 93402-1227; Lic. No. 186016; Cal. No. 27586; **Application to surrender license granted. Summary:** Licensee did not contest charges of having been convicted in California on two occasions of Driving Under the Influence, a misdemeanor.

**Junetta Jenkins**; Licensed Practical Nurse; Rochester, NY 14606; Lic. No. 287526; Cal. No. 27595; **Application to surrender license granted. Summary:** Licensee did not contest the charge of having been convicted of one count of Willful Violation of Health Laws.

**Lisa Sue Metcalf a/k/a Lisa Labadee**; Licensed Practical Nurse; Oakfield, NY 14125; Lic. No. 300145; Cal. No. 27615; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Willful Violation of Health Laws.

**Mary Lee Delate**; Registered Professional Nurse; Fort Lauderdale, FL 33312; Lic. No. 629268; Cal. No. 27621; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Conspiracy to Possess with Intent to Distribute Marijuana, a felony.

**Suzette Guzman**; Licensed Practical Nurse; Albany, NY 12203-2314; Lic. No. 316828; Cal. No. 27638; **Application to surrender license granted. Summary:** Licensee did not contest charges of having been convicted of Identity Theft in the 2<sup>nd</sup> Degree and Scheme to Defraud.

**Carol Audrey Seitz a/k/a Carol Audrey Grube**; Registered Professional Nurse; Patchogue, NY 11772; Lic. No. 637873; Cal. No. 27691; **Application to surrender**

**license granted. Summary:** Licensee did not contest allegations of diverting the controlled substance Dilaudid and the non-controlled substance Benadryl from the hospital supply for her own use.

### **Pharmacy**

**Harold P. Steenwerth;** Pharmacist; Linden, NJ 07036-3609; Lic. No. 031064; Cal. No. 27409; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Attempted Murder in the 2<sup>nd</sup> Degree, a class B felony; Assault in the 1<sup>st</sup> Degree, a class C felony; and Criminal Possession of a Weapon in the 4<sup>th</sup> Degree, a class A misdemeanor.

**Harry Abolafia;** Pharmacist; San Antonio, TX 78229; Lic. No. 028033; Cal. No. 27562; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Conspiracy in the 4<sup>th</sup> Degree, a class E felony.

**Roy David Katz;** Pharmacist; Richfield, MN 55423-1669; Lic. No. 034137; Cal. No. 27633; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of a crime in Connecticut which, if committed in New York, would constitute Health Care Fraud.

### **Public Accountancy**

**David T. Svoboda;** Certified Public Accountant; Bohemia, NY 11716; Lic. No. 083271; Cal. No. 27622; **Application to surrender license granted. Summary:** Licensee admitted to the charge of voluntarily consenting to a bar (suspension) from further association with any public accounting firm registered with the Public Company Accounting Oversight Board (PCAOB) where the conduct resulting in said suspension, if committed in New York, would constitute professional misconduct in New York State.

### **Social Work**

**Brian John Reilly a/k/a Brian J. Reilly;** Licensed Master Social Worker; Albertson, NY 11507; Lic. No. 048499; Cal. No. 27574; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Menacing a Police Officer, a class D felony, and Menacing in the 2<sup>nd</sup> Degree, a class A misdemeanor.

### **Veterinary Medicine**

**Gopal K. Beri;** Veterinarian; Queens, NY 11104; Lic. No. 004190; Cal. No. 27411; **Application to surrender license granted. Summary:** Licensee admitted to charges of dispensing Meloxicam 15 mg., an excessive dosage of said non-controlled medication, to an 18 lb. poodle; failing to diagnose and treat said dog for gastrointestinal bleeding; and failing to instruct the owner to discontinue the aforesaid Meloxicam 15 mg.

**Sayed Sultan Masood**; Veterinarian; South Riding, VA 20152; Lic. No. 008647; Cal. No. 27618; **Application to surrender license granted. Summary:** Licensee did not contest charges of administering the non-controlled corticosteroid medication Prednisone to a canine, when there was significant information contained within said canine's medical records indicating that corticosteroids were contra-indicated for said canine; failing to provide appropriate therapy for said canine's diabetes mellitus; and failing to provide appropriate diagnostics to rule out heart disease in said canine.

**Jeffrey Levy**; Veterinarian; Williamsburg, MA 01096; Lic. No. 004682; Cal. No. 27692; **Application to surrender license granted. Summary:** Licensee admitted to the charge of failing to meet the required continuing professional education credits as a condition for license renewal of his license to practice as a veterinarian in the State of Massachusetts.

## II. OTHER REGENTS DISCIPLINARY ACTIONS

### Clinical Laboratory Technology Practice

**Abigail Frances Gimino**; Clinical Laboratory Technologist; Rochester, NY 14624; Lic. No. 013405; Cal. No. 27332; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

### Dentistry

**Julie Anne Stiegler-Miszuk**; Dental Hygienist; Cheektowaga, NY 14227; Lic. No. 019234; Cal. No. 27055; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, probation 1 year to commence upon return to practice.

**Jonathan S. Aives**; Dentist; Stamford, NY 12167; Lic. No. 035738; Cal. No. 27434; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$5,000 fine.

### Massage Therapy

**Eric Warmuth**; Marcy, NY 13403; Lic. No. 025778; Cal. No. 27349; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

### Nursing

**Miriam Ann Miller a/k/a Miriam A. Miller**; Registered Professional Nurse; Greenwood Lake, NY 10925; Lic. No. 440981; Cal. No. 26602; **Found guilty of professional misconduct; Penalty:** \$500 fine to be paid within 6 months, indefinite suspension until alcohol abuse-free and until fit to practice, probation 2 years to commence subsequent to termination of suspension and upon actual return to practice.

**Andrea C. Hill**; Licensed Practical Nurse; Freeport, NY 11520; Lic. No. 278339; Cal. No. 27051; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence upon return to practice.

**Kimberly A. Young a/k/a Kimberly Young**; Licensed Practical Nurse; Walton, NY 13856; Lic. No. 296646; Cal. No. 27066; **Found guilty of professional misconduct; Penalty:** \$500 fine to be paid within 6 months, indefinite suspension for a minimum of 3 months and until substance abuse-free and until fit to practice, probation 2 years to commence subsequent to termination of suspension and upon actual return to practice.

**Alan L. Stevens**; Licensed Practical Nurse, Registered Professional Nurse; Niagara Falls, NY 14304; Lic. Nos. 258713, 509205; Cal. Nos. 27117, 27116; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

**Andrea L. Popiel**; Licensed Practical Nurse; Little Falls, NY 13365; Lic. No. 248857; Cal. No. 27133; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

**Erin A. Marra**; Licensed Practical Nurse; Turin, NY 13473; Lic. No. 281559; Cal. No. 27272; **Found guilty of professional misconduct; Penalty:** \$500 fine to be paid within 6 months, indefinite suspension for a minimum of 3 months and until substance abuse-free and until fit to practice, probation 2 years to commence subsequent to termination of suspension and upon actual return to practice.

**Melissa Ann Deming**; Registered Professional Nurse; Wellsville, NY 14895-9452; Lic. No. 609846; Cal. No. 27281; **Application for consent order granted; Penalty agreed upon:** Censure and Reprimand, 1 year probation, \$500 fine.

**Debra Lynn Mattoon**; Licensed Practical Nurse; Medina, NY 14103-1541; Lic. No. 300437; Cal. No. 27313; **Found guilty of professional misconduct; Penalty:** \$500 fine to be paid within 6 months, indefinite suspension for a minimum of 3 months and until fit to practice, probation 2 years to commence subsequent to termination of suspension and upon actual return to practice.

**Matthew Shane Rivenburgh**; Licensed Practical Nurse, Registered Professional Nurse; Tivoli, NY 12583; Lic. Nos. 215726, 431091; Cal. Nos. 27321, 27322; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Janet L. Erickson**; Registered Professional Nurse; Pittsford, NY 14534; Lic. No. 508270; Cal. No. 27336; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine

**Todd Eric Walter**; Licensed Practical Nurse, Registered Professional Nurse; Getzville, NY 14068-1106; Lic. Nos. 285647, 585660; Cal. Nos. 27341, 27342; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Robert E. Keenan**; Licensed Practical Nurse; Buffalo, NY 14225-3728; Lic. No. 310424; Cal. No. 27343; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$250 fine.

**Trisha Lynn Vanslyke-Pasco a/k/a Trisha V. Pasco**; Registered Professional Nurse; Waterville, NY 13480; Lic. No. 631963; Cal. No. 27355; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Deshia G. Scott a/k/a Deshia G. Williams**; Licensed Practical Nurse; Latham, NY 12110; Lic. No. 292326; Cal. No. 27359; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

**Susan Emily Farrow**; Registered Professional Nurse; Schenectady, NY 12303; Lic. No. 435923; Cal. No. 27370; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Elizabeth Anne Roman**; Licensed Practical Nurse, Registered Professional Nurse; Poughkeepsie, NY 12601; Lic. Nos. 139277, 534864; Cal. Nos. 27375, 27376; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 22 month stayed suspension, 24 months probation to commence upon return to practice.

**Sheryl L. Rowe a/k/a Sheryl Goodman**; Licensed Practical Nurse; Rochester, NY 14623; Lic. No. 266775; Cal. No. 27394; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Cynthia A. Moore a/k/a Cynthia A. Beckhorn**; Licensed Practical Nurse, Registered Professional Nurse; Rochester, NY 14623; Lic. Nos. 192486, 412762; Cal. Nos. 27395, 27396; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Lyn Marie Rausch a/k/a Lyn M. Rausch a/k/a Lyn Rausch**; Registered Professional Nurse; Selden, NY 11784; Lic. No. 558461; Cal. No. 27399; **Application for consent**

**order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Adelma Garcia;** Licensed Practical Nurse; New York, NY 10037-3418; Lic. No. 170102; Cal. No. 27406; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence upon return to practice.

**Jennifer M. Smith;** Licensed Practical Nurse; Elmira Heights, NY 14903; Lic. No. 266686; Cal. No. 27417; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 3 months.

**Lisa Marie Kabalan a/k/a Lisa Marie Kunze;** Licensed Practical Nurse, Registered Professional Nurse; North Tonawanda, NY 14120; Lic. Nos. 205022, 424962; Cal. Nos. 27420, 27421; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

**Lorena Pallotta;** Licensed Practical Nurse; Croghan, NY 13327; Lic. No. 252895; Cal. No. 27422; **Application for consent order granted; Penalty agreed upon:** Censure and Reprimand, \$500 fine payable within 3 months.

**Deborah Ann Ballou;** Registered Professional Nurse; Hamburg, NY 14075; Lic. No. 574553; Cal. No. 27431; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

**Brandon Wyche;** Registered Professional Nurse; Bradford, PA 16701; Lic. No. 653181; Cal. No. 27440; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Doreen M. Varrichio-Prine;** Registered Professional Nurse; Hicksville, NY 11801; Lic. No. 279417; Cal. No. 27471; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 22 month stayed suspension, 2 years probation.

**Jodie DeFato;** Licensed Practical Nurse; Mastic Beach, NY 11951; Lic. No. 269326; Cal. No. 27472; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.



**Lauren E. Ciejka**; Licensed Practical Nurse; Deer Park, NY 11729; Lic. No. 182198; Cal. No. 27474; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Danielle Maureen Disciullo**; Registered Professional Nurse; Eastchester, NY 10709; Lic. No. 529882; Cal. No. 27477; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 24 months probation to commence upon return to practice, \$1,000 fine payable within 2 months.

**Jorge A. Jurado**; Registered Professional Nurse; Huntington Station, NY 11746-2403; Lic. No. 637355; Cal. No. 27483; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Elaine Patricia Young**; Registered Professional Nurse; Castleton-on-Hudson, NY 12033; Lic. No. 473201; Cal. No. 27503; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation to commence upon return to practice, \$500 fine.

**Thomas Dunleavy Smith**; Registered Professional Nurse; Arlington, TX 76014; Lic. No. 615317; Cal. No. 27511; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation to commence upon return to practice in State of New York, \$1,000 fine payable within 90 days.

#### Ophthalmic Dispensing

**Chris J. Denis**; Rochester, NY 14623; Lic. No. 006258; Cal. No. 27507; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

#### Pharmacy

**Daniel Carl Marcello**; Pharmacist; Lindenhurst, NY 11757; Lic. No. 048196; Cal. No. 26809; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Samantha G. Wanke**; Pharmacist; Cooperstown, NY 13326; Lic. No. 037347; Cal. No. 27427; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 1 year probation to commence upon return to practice.

#### Physical Therapy

**Judith Ann McLaud**; Physical Therapist; Rochester, NY 14620; Lic. No. 005957; Cal. No. 27428; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

#### Public Accountancy

**Philip C. Kempisty**; Certified Public Accountant; New York, NY 10038; Lic. No. 032762; Cal. No. 26859; **Application for consent order granted; Penalty agreed upon:** 1 year actual suspension, 1 year stayed suspension, 2 years probation, \$5,000 fine.

**Kempisty & Company, Certified Public Accountants, P.C.**; 15 Maiden Lane - Suite 1002, New York, NY 10038; Cal. No. 26860; **Application for consent order granted; Penalty agreed upon:** \$10,000 fine payable within 5 months.

#### Speech-Language Pathology and Audiology

**Kimberly A. Bussey**, Speech-Language Pathologist; Canandaigua, NY 14424; Lic. No. 015462; Cal. No. 27466; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$250 fine.

#### Veterinary Medicine

**Nagy N. Nasr**; Veterinarian; Staten Island, NY 10312; Lic. No. 008919; Cal. No. 26340; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence upon return to practice, \$2,500 fine payable within 3 months.

**Joseph Imre Deme**; Veterinarian; Port Washington, NY 11050; Lic. No. 007883; Cal. No. 26420; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 2 years probation.

**James R. Robinson**; Veterinarian; Corfu, NY 14036; Lic. No. 003771; Cal. No. 27441; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

### **III. RECONSIDERATION**

**Julia A. Jordan**; Registered Professional Nurse; Bellmore, NY 11710; Lic. No. 293284; Cal. No. 27401; **Application for reconsideration granted**: Vote & Order under Cal. No. 26888 modified, Term of Probation numbered four amended.

#### **IV. RESTORATIONS**

The Board of Regents voted on September 16, 2014 to deny the application for restoration of the physician license of Alexander Sporn, Kew Gardens, NY. Dr. Sporn's license was originally revoked October 25, 2001.

The Board of Regents voted on September 16, 2014 to stay the execution of the order of surrender of the licensed clinical social worker license of Madge E. Flynn, Fayetteville, NY, to place her on probation for 5 years under specified terms and conditions, and upon successful completion of probation, to fully restore her license. Ms. Flynn's license was originally surrendered December 9, 2005.



Our Students. Their Moment.

# Pathways To Graduation

## Current Requirements and Options

NYS Board of Regents  
September 15, 2014

ATTACHMENT I



[www.engageNY.org](http://www.engageNY.org)

# College and Career Readiness

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**Vision:** College and Career Readiness in NYS will ensure that *all* students graduate high school able to succeed in postsecondary programs of study and the workforce; that they understand and demonstrate citizenship skills; and that they may meaningfully contribute to the economic and democratic well-being of our society.

**Goal:** By 2015, NYS will offer *all* students an established set of pathways to graduation that are grounded in the Common Core Learning Standards, are similarly rigorous, allow for student choice and have demonstrated, effective outcomes for students.

# Completion vs. Readiness

## Defining What Our Students Need for Success

New York's 4-year high school graduation rate is 74.9% for All Students however, the gaps are disturbing.

### June 2013 Graduation Rate

Graduation under Current Requirements  
(Completion)

|                            | % Graduating |
|----------------------------|--------------|
| <b>All Students</b>        | 74.9         |
| American Indian            | 62.2         |
| Asian/Pacific Islander     | 80.6         |
| Black                      | 59.7         |
| Hispanic                   | 59.2         |
| White                      | 86.5         |
| English Language Learners  | 31.4         |
| Students with Disabilities | 48.7         |

Calculated College and Career Ready\*  
(Readiness)

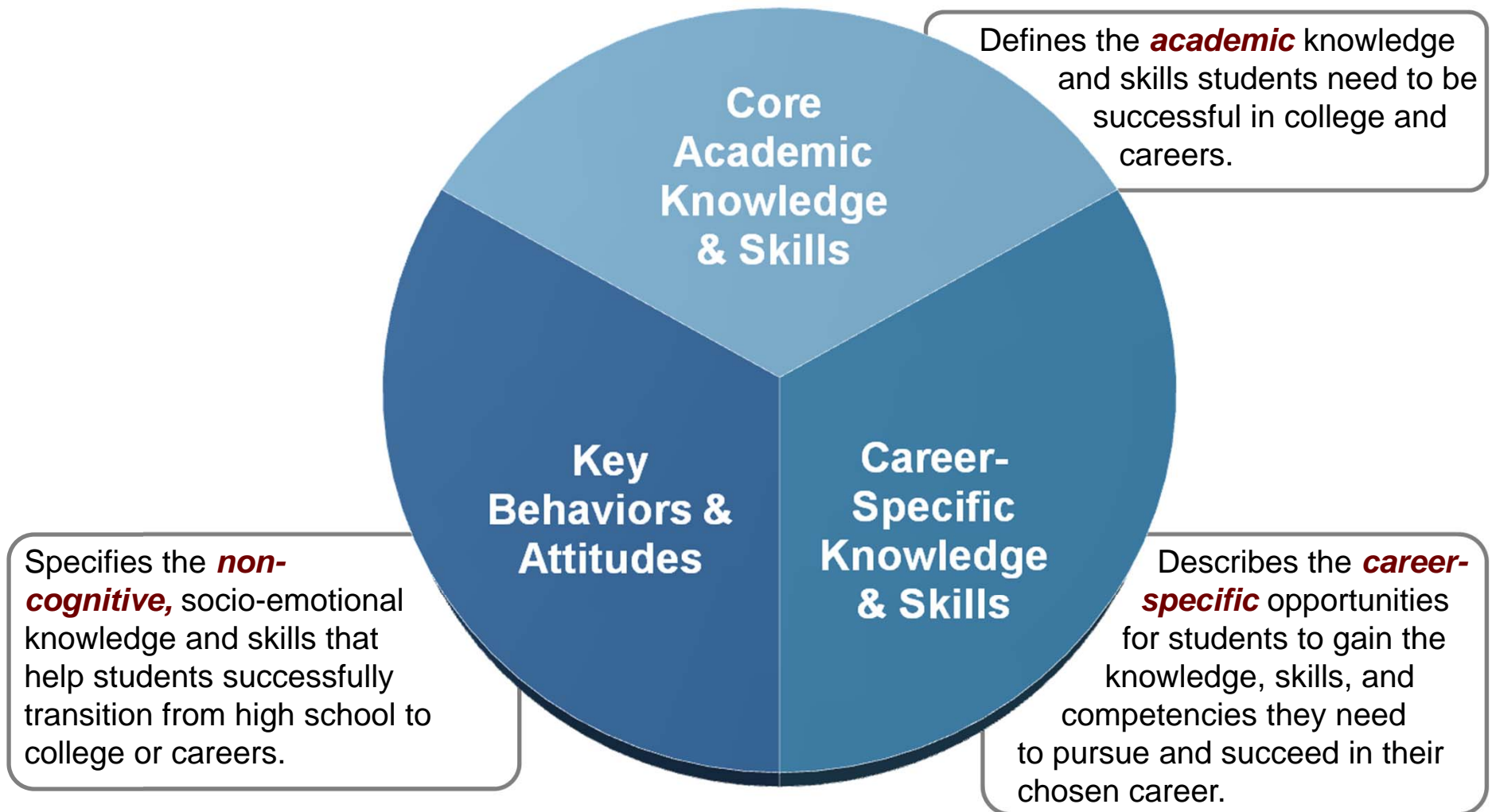
|                            | % Graduating |
|----------------------------|--------------|
| <b>All Students</b>        | 37.2         |
| American Indian            | 21.3         |
| Asian/Pacific Islander     | 57.2         |
| Black                      | 14.2         |
| Hispanic                   | 18.0         |
| White                      | 50.4         |
| English Language Learners  | 5.9          |
| Students with Disabilities | 5.4          |

\*Students graduating with at least a score of 75 on Regents English and 80 on a Math Regents, which correlates with success in first-year college courses.

Source: NYSED Office of Information and Reporting Services

# Readiness is more than an Academic Pursuit

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# The theory of action for multiple pathways

## Why Invest in a Pathways Approach?

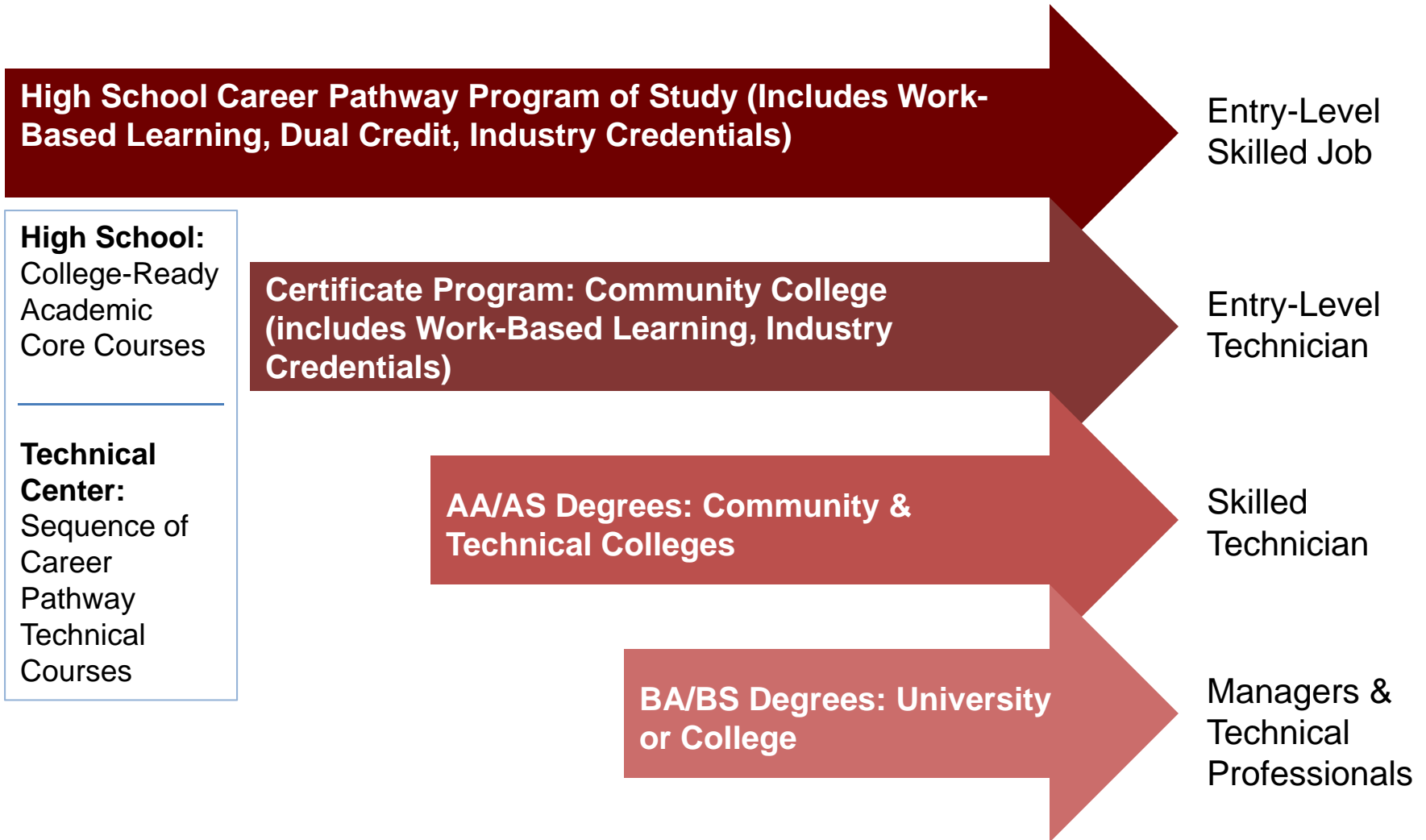
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- Under the current system of *Completion*, far too many students are either dropping out of school or are not having their academic needs met thereby leading to increasing levels of remediation in entry level college classes and/or unsuccessful attempts to achieve a living wage job.
- The lack of coherence between K-12 and college and/or career/industry must be remedied by a model of *Readiness* which contains a combination of common expectations (CCLS) and multiple, similarly rigorous pathways which lead to student success.
- Multiple market and student-choice driven pathways will increase student engagement, student achievement, and ultimately, college, career and citizenship readiness. The result will be a strengthening of our economy and our democratic way of life.



# High quality pathways engage students at all levels of achievement in moving forward to postsecondary education and/or career training.

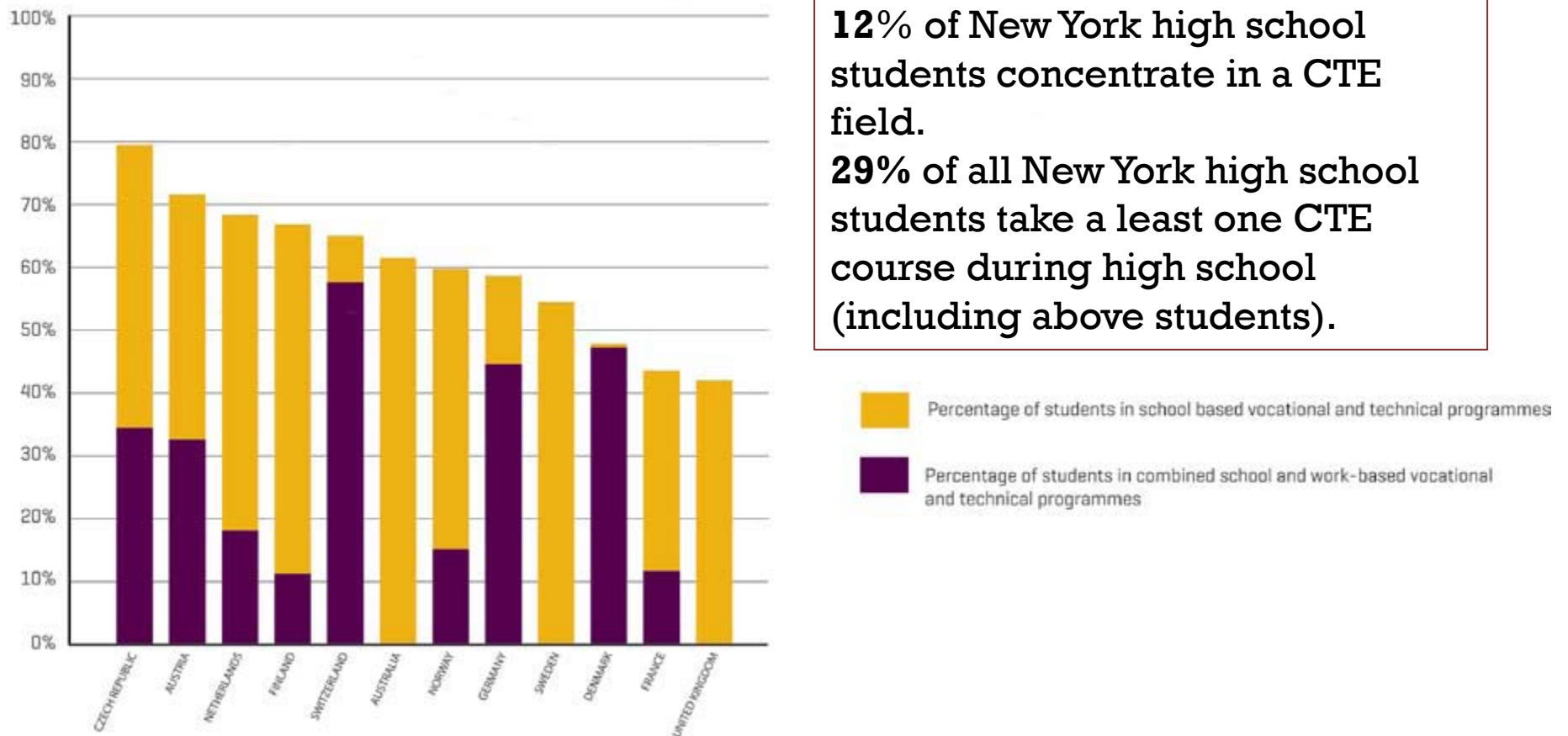
Pathways should be part of a system of stackable credentials that offer students multiple entry and exit points on the path to educational and career advancement.



# Career and Technical Training

## International Comparison

In strong vocational systems, 40% to 75% of upper secondary students *choose* to participate: Career and Technical Training can be school based or mix of school and work



**12%** of New York high school students concentrate in a CTE field.

**29%** of all New York high school students take a least one CTE course during high school (including above students).

Source: OECD (2008), Education at a Glance 2008, OECD indicators, Table C1.1, OECD, Paris.

## Students Graduating with a CTE Diploma Endorsement in 2013

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|   | Number of<br>Students | Overall<br>Graduates | % Overall<br>Graduates |
|---|-----------------------|----------------------|------------------------|
| NYC Public Schools                              | 2,822                 | 57,628               | 4.90%                  |
| Large Cities                                    | 418                   | 5,096                | 8.20%                  |
| High Need/Resource Urban-<br>Suburban Districts | 429                   | 12,086               | 3.55%                  |
| High Need/Resource Rural Districts              | 1,289                 | 10,662               | 12.09%                 |
| Average Need Districts                          | 2,896                 | 59,872               | 4.84%                  |
| Low Need Districts                              | 526                   | 32,481               | 1.62%                  |
| Charter Schools                                 | 0                     | 1,785                | 0.00%                  |
| <b>Totals</b>                                   | <b>8,380</b>          | <b>179,610</b>       | <b>4.67%</b>           |

Source: 2012-2013 School Report Card database

# CTE Program Approval Process

Based on the Board of Regents Nationally Recognized Plan

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**Applications must certify that the CTE program will provide:**

- Curriculum aligned with state and national learning standards and state and national skill standards;
- Rigorous curriculum content which is non-duplicative and provides the student with a coherent sequential program of study;
- Secondary CTE curriculum aligned with postsecondary education career pathways leading to degrees or credentials;
- State-certified faculty with appropriate academic and/or technical certification;
- A technical assessment that meets current industry standards (ex. NATEF, NOCTI);
- Postsecondary articulation agreements constructed to provide students with direct benefit (such as college credit or advanced standing);
- Work-based learning opportunities for all students; and
- A robust data reporting infrastructure to evaluate success on assessments and future placements

# CTE Program Approval Process

## Based on the Board of Regents Nationally Recognized Plan

### Self Study: An Opportunity To Evaluate CTE Programs

- Input from various stakeholders (CTE Teachers, General Education Teachers, Administrators, Business/Industry Representatives, and Students)
- Analysis of curriculum for alignment and rigor
- Prepare application materials

### External Review: An Opportunity To Evaluate CTE Programs

- Involvement of various stakeholders (CTE Teachers, General Education Teachers, Administrators, Business/Industry Representatives, BOCES and 2 Component Schools)
- Review, address, approve (sign-off) on CTE program plan
- Forward plan to Superintendent of Schools or District Superintendent for Approval

### Board of Education Approval

- Submit Statement of Assurances Form
- Signed by Superintendent of Schools and BOE President

### SED Review

- Subject specialist reviews the plan
- Letter to Superintendent of Schools or District Superintendent once approved (5 year period with option to re-approve)

# Current NYS Requirements

## For a Regents Diploma

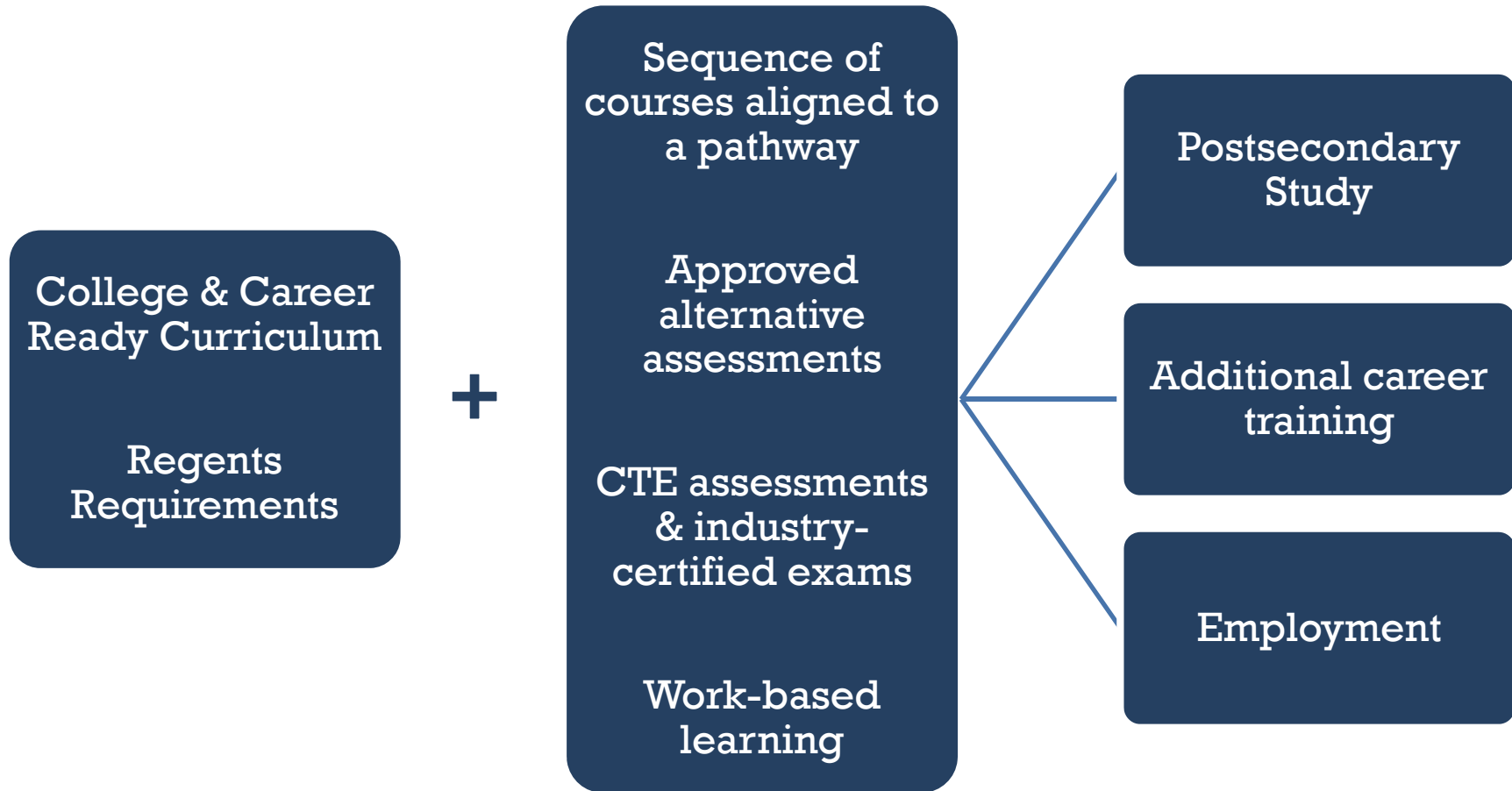
| Content Area                                    | Regents Diploma <sup>1</sup><br>Credits Required  | Regents Diploma w/Advanced<br>Designation <sup>1</sup><br>Credits Required |
|---|---|--|
| Mathematics                                     | 3   | 3  |
| English   | 4   | 4  |
| Science   | 3   | 3  |
| Social Studies                                  | 4   | 4  |
| Health  | 0.5   | 0.5  |
| Arts  | 1   | 1  |
| Languages Other Than English(LOTE) <sup>2</sup> | 1   | 1  |
| Physical Education                              | 2   | 2  |
| Sequence Courses/Electives                      | 3.5   | 3.5  |
| <b>Total Credits</b>                            | <b>22</b>   | <b>22</b>  |
|   |   |  |
| <b>Regents Exams<br/>Score of 65 or above</b>   | <b>5<br/>(1 Math, 1 ELA, 1<br/>Science, 2 SS)</b> | <b>8<sup>3</sup><br/>(3 Math, 1 ELA, 2 Sciences, 2 SS)</b>                 |

<sup>1</sup>An Honors Designation is applicable for students earning an average of 90 on all required exams

<sup>2</sup>Students must earn additional credits in either the Arts CTE or LOTE to meet the Adv. Designation Requirements. If LOTE is chosen they must pass a Checkpoint B LOTE Exam in addition to the Regents Exams.

<sup>3</sup> Students in earlier cohorts may be subject to more or fewer examinations due to the phase out of the Regents Exams in LOTE and the 2 Exam Series in Mathematics (Math A and B)

# Pathways are a route to two-year and four-year colleges, additional career training, and employment.



# Ensuring Rigorous Pathways

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**All Students earning a Regents Diploma will:**

- **Take a Balanced Curriculum including: American History, Global Studies, Science, Language other than English, Art, Physical Education and Health**
- **Earn a minimum of 22 High School Credits,**
- **And meet required elements of their pathway.**



# Required Elements of Pathways

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## Appropriate Assessments and Related High Rigor Courses in Each Pathway

- The Federal Government *requires*:
  - Annual testing in mathematics and ELA in grades 3-8
  - An annual science assessment in Science at least once in grades 3-5 and again in 6-9
  - Assessments at least once in Mathematics, ELA and Science in grades 10-12\*
  - Alternate assessment for Students with Disabilities
  - Annual assessment of acquisition of English proficiency for English Language Learners

\* Students may meet this requirement by taking Regents examinations or approved alternatives to the Regents prior to grade 9 and “banking the results” for high school accountability.

## Opportunities for Students to Enter and Exit Pathway Options

- Pathways should be:
  - Grounded in the Common Core Learning Standards
  - Similarly rigorous
  - Allow for student choice
  - Have demonstrated, effective outcomes for students

# Regents Pathway Diploma Option 4:1

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**Option to earn a Regents Diploma by passing four Regents Exams and one Pathway Exam (Student choice in one or more Regents exams) and complete a Pathway course of study.**

**Multiple pathways to graduation with a Regents diploma:**

**ELA + Math + Science (or Science CTE) + 1 Social Studies + Pathway Exam (2<sup>nd</sup> Social Studies or 2<sup>nd</sup> Math or 2<sup>nd</sup> Science or Science CTE or CTE or Humanities or Arts)**

## **Benefits:**

- Students taking additional courses in a field of study of interest can fulfill additional diploma endorsements.
- Better student engagement should increase likelihood for persistence towards graduation.
- Recognition of student skill achievement and the opportunity to use multiple measures for measuring student growth.

## **Challenges:**

- Pathway exams require students who have strong math, reading, and oral and written communications skills.

# Regents Pathways

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- Pathways engage students of all levels of achievement and offer students an opportunity to explore arts, humanities, science, technology, math, and careers.
- Pathways are aligned to college and career ready standards, while also providing technical skills and work-based learning opportunities.
- Students may take an additional, approved exam within a pathway to fulfill part of the Regents examination graduation requirement.

## Arts

- Students pursuing a pathway in the arts have opportunities to explore and demonstrate learning in the performing arts, visual arts, and technical arts.
- Pathways exams will be determined by a Blue Ribbon Panel on the Arts.

## CTE

- Students in the CTE pathways have opportunities to explore a number of career and technical pathways that focus on work-based learning in career and technical fields.
- Pathways exams may include approved national certification or CTE exams.

## Humanities

- Students pursuing a pathway in the Humanities may focus study in languages, social studies, literature, philosophy or other social studies.
- Pathways exams may include alternative assessments in social studies, literature or languages.

## STEM

- Students pursuing a STEM pathway may focus study in the sciences, technology, engineering or math.
- Pathways exams may include alternative assessments in the applied sciences, technology, engineering or math.

# Current Approved Alternatives

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## **Regents ELA Approved Alternatives:**

- Advanced International Certificate of Education (AICE) English Examination
- AP English Language and Composition Examination
- AP English Literature and Composition Examination
- International Baccalaureate English A1 Standard Level Examination
- International Baccalaureate English A1 Higher Level Examination

## **Regents Integrated Algebra Approved Alternatives:**

- Advanced International Certificate of Education (AICE)
- AP Calculus AB Examination
- AP Calculus BC Examination
- International Baccalaureate Mathematics Studies Standard Level Examination
- International Baccalaureate Mathematics Methods Standard Level Examination
- International Baccalaureate Mathematics Higher Level Examination
- International General Certificate of Secondary Education (IGCSE)
- SAT Subject Test in Mathematics Level 1
- SAT Subject Test in Mathematics Level 2

## **Regents Geometry and Algebra 2/Trigonometry Approved Alternatives:**

- AP Calculus AB Examination
- AP Calculus BC Examination
- SAT Subject Test in Mathematics Level 2

# Current Approved Alternatives Cont'd

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## ***Regents Sciences Approved alternatives:***

- AP Biology Examination\*\*
- SAT Subject Test in Biology E/M\*\*
- SAT Subject Test in Chemistry\*\*
- SAT Subject Test in Physics\*\*

## ***Regents Social Studies Approved alternatives:***

- AP US History Examination
- SAT Subject Test in US History
- AP World History Examination

\* In addition to achieving the established score, students must complete a multi-source, in-depth research project that demonstrates the ability to use primary and secondary sources.

\*\* In addition to achieving the established score, students must complete 1,200 minutes of hands-on laboratory work with satisfactory lab reports.

# **Blue Ribbon Commission**

## **Technical Assessment Recommendations**

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Chaired by Chancellor Emeritus Robert Bennett and Monroe Community College President Anne Kress, the Commission recommended:

1. Adoption of 13 Technical Exams that were proven to be of equal or greater rigor to a Regents Exam
2. Creating multiple pathways to college and career readiness, including a CTE pathway
3. Increasing integrated course options for CTE students
4. Introducing students to CTE courses earlier
5. Aligning graduation requirements with specific pathways to college and career readiness
6. Strengthening graduation requirements for college and career readiness

# **Blue Ribbon Commission**

## **Technical Assessment: Phase 2**

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The Commission will be reconvened this Fall to identify additional technical exams.

1. Current exams include: culinary, automotive, IT, metal working, graphics/printing, electronics technician, carpentry, business knowledge and skills, advertising and design, accounting, agricultural mechanics and hospitality management.
2. Will use Department of Labor data to identify programs that successfully prepare students for careers in high demand jobs that pay a living wage.
3. Will work with school districts to prioritize consideration of candidate exams reflective of high demand jobs in New York State.

# **Blue Ribbon Commission**

## **Arts Assessment (Dance, music, theatre and the visual arts)**

*The Department* will follow a process similar to the Regents Blue Ribbon Commission on Technical Assessments.

1. A technical assessment panel will develop criteria for identifying assessments that are candidates for meeting the rigor of a Regents Exam. The criteria will include but not be limited to:
  - Assessment provides credible evidence that the student is college and career ready
  - Assessment includes academic as well as technical learning and performance
2. Blue Ribbon Commission will review and recommend assessments identified by the technical assessment panel for consideration as “Pathway Exams”



# Next Steps

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## 1. Regents action on Regents Pathways Diploma

- a) Potential October Regents approval of multiple pathways
- b) Draft regulations based on Regents action
- c) Solicit public comments on draft regulations

## 2. Identify additional alternative assessments

- a) Establish a Blue Ribbon Panel for the Arts to discuss alternative assessments for the Arts Pathway
- b) Reconvene Blue Ribbon Technical Assessments Panel
- c) Add a stakeholder group focused on the 21<sup>st</sup> century workforce skills gap

## 3. Request resources and legislative approval

- a) Enhance BOCES aid for CTE schools
- b) Modernize special services aid
- c) Establish regional high schools
- d) Expand access to P-Tech schools

# **Appendix**

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## **Potential CTE Pathway Assessments**

## **CTE Teacher Certification Requirements**

## **Suggested Readings**

# Blue Ribbon Commission

## Technical Assessments Recommendations

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### 1. The ProStart National Certificate of Achievement

- National program that is administered by the National Restaurant Association's Education Foundation.

### 2. ASE Student Certification

- The National Institute for Automotive Service Excellence (ASE) administers a set of examinations to qualify automotive technicians.

### 3. A+ Certification

- CompTIA was created by a consortium of IT corporations including Microsoft, HP, Cisco, Dell, and Intel to certify technicians.

### 4. Network+ Certification

- Passing A+ is a pre-requisite for taking Network+, also from CompTIA. Students who pass are qualified for IT employment in positions such as network administrator, network technician, network installer, help desk technician, and IT cable installer.

### 5. National Institute of Metal Working (NIMS) Skills Certification

- Industry-written and industry-validated, and subject to regular, periodic reviews under the procedures accredited and audited by the American National Standards Institute (ANSI).

# **Recommended Assessments (continued)**

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## 6. PrintED

- Based on industry standards for graphic communications courses of study at the secondary and post-secondary levels, PrintED is a national accreditation program created by the Graphic Arts Education and Research Foundation.

## 7. Student Electronics Technician

- The SET Certification was developed by the Electronic Technicians Association (ETA) for high school students and entry-level technicians.

## 8. Carpentry Level-1 Certification

- This is one of many certifications sponsored by the National Center for Construction Education and Research (NCCER).

## 9. Assessment of Skills and Knowledge for Business (A\*S\*K)

- This set of examinations was developed by the Assessment of Skills and Knowledge for Business Institute with technical assistance from NOCTI.

# **Recommended Assessments (continued)**

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## **10. Advertising and Design (NOCTI)**

- This test is designed for program completers and entry-level employees in the advertising and design field, measuring knowledge and skills in such topics as design theory and application, color theory and application, drawing and digital illustration, photography, typography, multimedia, digital image manipulation, production and printing, computer literacy, and communication skills.

## **11. Accounting – Basic (NOCTI)**

- This test is designed for program completers and entry-level employees in the accounting/bookkeeping field, measuring knowledge and skills in such topics as general accounting knowledge, journalizing, posting, payroll preparation, cash and banking procedures, merchandise inventory, completion of accounting cycle, identification and application of source data, use of mechanical and electronic accounting devices, and data security.

# **Recommended Assessments (continued)**

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## **12. Agricultural Mechanics (NOCTI)**

- This test is designed for program completers and entry-level employees in the agricultural mechanics field, measuring knowledge and skills in such topics as general safety, welding and mechanics, power and machinery, electrical power and process, agricultural structures, agribusiness, and environmental and natural resource systems.

## **13. Hospitality Management – Food and Beverage (NOCTI)**

- This test is designed for program completers and entry-level employees in the hotel management field, measuring knowledge and skills in such topics as understanding of the hospitality industry, guest relations and concierge duties, opening and settling financial transactions, safety and security, legal and ethical responsibilities, marketing and sales, travel and tourism, hotel restaurant management, and food and beverage service.

# Teacher Certification - CTE

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## **Transitional A Certificate Requirements**

### ***Option A: Approved Program***

Education - Associate Degree

Minimum 2.50 Undergraduate GPA

Content Core - Certificate title - 30 Semester Hours.

Pedagogical Core - 9 Semester Hours.

Occupational Work Experience - Certificate title - 2 Years

Workshop - Child Abuse Identification

Workshop - School Violence Intervention and Prevention

Fingerprint Clearance

School District Recommendation

### ***Option B: Individual Evaluation***

Education - High School Diploma or GED

Pedagogical Core - 9 Semester Hours.

Occupational Work Experience - Certificate title - 4 Years

New York State Teacher Certification Exam - Communicative and Quantitative Skills (CQST)

Workshop - Child Abuse Identification

Workshop - School Violence Intervention and Prevention

Fingerprint Clearance

School District Recommendation

# Suggested Readings

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*Pathways to Prosperity: Meeting the Challenge of Preparing Young Americans for the 21st Century.* Symonds, William C., Robert Schwartz, and Ronald F. Ferguson. 2011. “Pathways to Prosperity: Meeting the Challenge of Preparing Young Americans for the 21st Century.”

[http://www.gse.harvard.edu/news\\_events/features/2011/Pathways to Prosperity Feb2011.pdf](http://www.gse.harvard.edu/news_events/features/2011/Pathways_to_Prosperty_Feb2011.pdf).

*Closing the New York State Skills Gap.* Ready Nation.

<http://readynation.org/nyskillsgap072414>

RECOVERY: Job Growth and Education Requirements Through 2020. Carnevale, A.P., Smith, N. & Strohl, J. (June 2013) Washington, DC: Georgetown University Center on Education and the Workforce.

<http://cew.georgetown.edu/recovery2020/>





***Resolution in Recognition of the Service and  
Dedication of Christine W. Ward***

Christine W. Ward retired from her service as State Archivist and Assistant Commissioner for Archives in August, 2014. Christine has been a staff member and leader at the State Archives for over 30 years as well as a distinguished member of the archival profession. In 1993 she was elected a fellow of the Society of American Archivists. She has been an advocate for the preservation of records and documents, a leader in the field of archives and history and a thoughtful steward of New York State's documentary heritage.

*BE IT THEREFORE RESOLVED* on this 16th day of September 2014 that the Members of the New York State Board of Regents, acknowledge the service and dedication of Christine W. Ward to the State Archives and the people of the State of New York.



**Merryl H. Tisch**  
Chancellor

New York State Board of Regents

**John B. King, Jr.**  
Commissioner of Education and  
President of The University of the  
State of New York

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



***Resolution in Recognition of Distinguished  
Service to Mary Ellen Clerkin, Esq.***

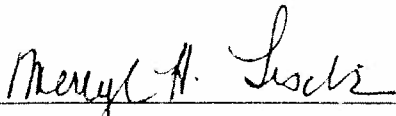
*Whereas*, on November 17, 1983, Mary Ellen Clerkin began her distinguished legal career with the State of New York as an Assistant Attorney General in the Office of the Attorney General's Litigation Bureau; and

*Whereas*, on January 22, 1998, Mary Ellen Clerkin joined the New York State Education Department as an Assistant Counsel in the Office of Counsel; and

*Whereas*, in her capacity as Assistant Counsel for the New York State Education Department, Mary Ellen Clerkin has, for the past sixteen and one-half years, served as the agency's chief litigation counsel; overseen legal work on agency contracts and MOUs; worked tirelessly to assist staff on legal issues related to USNY – Regents Research Fund; and focused on litigation and legal issues related to the Office of Professions, including representing the Office of Counsel at the Regents Professional Practice Committee meetings;

*Therefore*, on behalf of the Regents of The University of the State of New York and the New York State Education Department, we bestow congratulations on Mary Ellen Clerkin, for her long, faithful and dedicated leadership and distinguished public service to the State of New York and the New York State Education Department.



  
Meryll H. Tisch

Chancellor

New York State Board of Regents

  
John B. King, Jr.

Commissioner of Education and  
President of The University of the  
State of New York



*Resolution Commemorating the  
75<sup>th</sup> Anniversary of the Yellow School Bus*

*“National School Bus Chrome”*

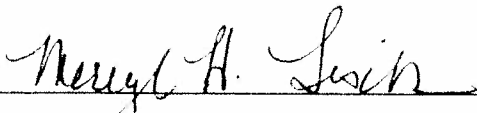
In 1939, New York educator Franklin W. Cyr, a professor at Teachers College, Columbia University in New York, convened a safety standards conference of educators, engineers and safety experts to consider ways to improve safety in transporting students to their schools. The objective of the conference was to establish national school bus construction standards for the United States, including the standard color of yellow - known officially as National School Bus Chrome. That conference, 75 years ago on April 10-16, 1939, resulted in the adoption of National School Bus Chrome as the official color of the school bus in America with multiple improvements being made to school buses and school bus safety over the years. "National School Bus Chrome" was chosen for its high visibility and sharp contrast to the black lettering that identified the school district operating the bus.

The Yellow School Bus is an icon in our State and our Nation, with its bright yellow color reminding all that our children are on their way to greet their teachers and classmates in their journey to prepare for life; and the Yellow School Bus has, due in large part to its distinctive color, kept our children safe each day for over 75 years on their way to schools each morning and back home to their families at the end of each day.

The New York State Board of Regents thanks the millions of women and men who have dedicated their lives and careers to the safety of the "Yellow School Bus" in their work as managers, drivers, dispatchers, attendants, trainers and technicians. So many Americans hold and cherish memories and pictures of their own first rides or their children's and grandchildren's first rides to school on that big Yellow School Bus.

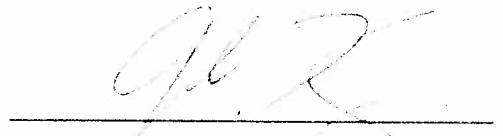
On September 16, 2014 the New York State Board of Regents recognizes the 75th Anniversary of the "Yellow the School Bus" and the Cyr Foundation, which through its public service, has shown a deep commitment to the goals of safety and access to education first espoused by Franklin W. Cyr.





**Merryl H. Tisch**  
Chancellor

New York State Board of Regents



**John B. King, Jr.**  
Commissioner of Education and  
President of The University of the  
State of New York



*Resolution in Recognition of  
Diane O'Neill McGivern*

Diane O'Neill McGivern was the first nurse elected to serve on the New York State Board of Regents and served with distinction for 15 years from 1991 to 2005 representing the Second Judicial District including Staten Island and Brooklyn at that time.

During her tenure on the Board of Regents Diane O'Neill McGivern was elected by her peers to the post of Vice Chancellor and served as Vice Chancellor from 1998 to 2001.

Vice Chancellor Emerita McGivern served as New York University's Director of Nursing and held several leadership positions in the American Nurses Association, American Association of Colleges of Nursing, American Academy of Nursing, National League for Nursing and the Nursing Cabinet of New York University Health Systems.

The New York State Board of Regents mourns the loss of Vice Chancellor Emerita McGivern and recognizes her dedication and service to the State of New York, to all aspects of education, and especially to the nursing profession.

On this 16<sup>th</sup> day of September 2014 the Board of Regents expresses its deepest sympathies to Vice Chancellor Emerita McGivern's family and especially to her husband Dr. Bernard (Bud) McGivern and their daughter Ryan McGivern.



*Merryl H. Tisch*

Merryl H. Tisch  
Chancellor

*Anthony S. Bottar*

Anthony S. Bottar  
Vice Chancellor

*Robert M. Bennett*

Robert M. Bennett  
Chancellor Emeritus