



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 2017 Meeting  
**DATE:** October 5, 2017  
**AUTHORIZATION(S):** *Margaret Elin*

**Executive Summary**

**Issue for Decision**

Review of the Summary of the September 2017 Meetings of the Board of Regents.

**Proposed Handling**

Approval of the Summary of September 2017 meetings.

**Procedural History**

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

**Recommendation**

Approval of the Summary of the September 2017 meetings.

**Timetable for Implementation**

Effective October 17, 2017.

**VOTED**, that the Summary of the September 2017 Meetings of the Board of Regents of The University of the State of New York be approved.



***SUMMARY OF THE SEPTEMBER 2017 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 11 and 12, 2017***

***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 11, 2017 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, September 11<sup>th</sup> at 9:00 a.m.**

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

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents James E. Cottrell and Elizabeth S. Hakanson were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 9:00 a.m. and provided thoughts for a moment of reflection in remembrance of September 11<sup>th</sup> (Attachment I.)

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session, Tuesday, September 12, 2017 at 10:20 a.m. to discuss personnel and litigation matters.

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

**ACTION ITEM**

**Every Student Succeeds Act (ESSA) State Plan  
BR (A) 4**

Commissioner Elia led a discussion on New York State's ESSA Plan for approval by the Board of Regents and submission to the US Department of Education (Attachment II.)

**MOVED**, that the Board of Regents directs the Commissioner of Education and the State Education Department to submit to the United States Department of Education (USDE) the revised draft ESSA Consolidated Application and the associated waivers by no later than September 18, 2017.

**Motion by:** Regent Judith Johnson  
**Seconded by:** Regent Kathleen M. Cashin  
**Action:** Motion carried unanimously.

Chancellor Betty A. Rosa adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, September 12<sup>th</sup> at 11:05 a.m.**

**Board Members in Attendance:**

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents James E. Cottrell and Elizabeth S. Hakanson were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 11:05 a.m. and asked Regent Nan Eileen Mead to provide thoughts for a moment of reflection.

**ACTION ITEM**

**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 2017 Meetings of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the July 2017 Meetings of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Christine D. Cea  
**Seconded by:** Regent Wade S. Norwood  
**Action:** Motion carried unanimously.

## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

#### **Conferral of Degrees: Dowling College and Globe Institute of Technology BR (CA) 1**

**MOVED**, that the Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at Dowling College and Globe Institute of Technology the respective degrees as listed below: 4

#### **Information in Support of Recommendation**

##### **Dowling College**

The following students have completed the requirements for their respective awards as indicated:

*Master of Science (M.S.)*

Alduino, Heather Lynn  
Cummings, Mary Allison  
D'Orazi, Alyssa Christine  
Nilsen, Vanessa  
Valdiviezo, Jacqueline

*Master of Business Administration (M.B.A.)*

Anderson, Ronelle L.  
Limbachiya, Devang Hareshkumar

*Bachelor of Business Administration (B.B.A.)*

White, Brian

*Bachelor of Arts (B.A.)*

Echavarria, Ruben James  
Sorrentino, Laina Marie

*Bachelor of Science (B.S.)*

McCabe, Frank A.

##### **Globe Institute of Technology**

The following student has completed the requirements for the Bachelor of Business Administration (B.B.A.) degree program:

Sukiasyan, Mariam A.

**Iona College: Master Plan Amendment to Offer a Bachelor of Arts (B.A.) Degree in  
Arts Leadership  
BR (CA) 2**

**MOVED**, that the Board of Regents approves a master plan amendment to authorize Iona College to offer its first program in the Fine Arts. The amendment will be effective until September 30, 2017, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Proposed Amendment of Subpart 152-1 of the Regulations of the Commissioner  
of Education Relating to Higher Education Opportunity Programs  
BR (CA) 3**

**MOVED**, that Subpart 152-1 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2017.

**Ratification of Action Taken at the July 2017 Regents Meeting to Permanently  
Adopt a New Part 48 to the Regulations of the Commissioner of Education  
Related to Annual Aggregate Data Reporting by New York State Institutions of  
Higher Education Related to Reports of Domestic Violence, Dating Violence,  
Stalking and Sexual Assault  
BR (CA) 4**

**MOVED**, that the action taken at the July 2017 Regents meeting to add Part 48 of the Regulations of the Commissioner of Education, effective August 2, 2017, be ratified in all respects.

**Proposed Amendment to Part 80 of the Regulations of the Commissioner of  
Education Related to Pathways for Candidates to Pursue Transitional A, Initial,  
and/or Professional Career and Technical Education Certificates  
BR (CA) 5**

**MOVED**, that Part 80 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2017.

**Proposed Amendment to Section 80-5.17 of the Regulations of the Commissioner  
of Education to Permanently Extend the Option for Certain Out-of-State  
Candidates to be Eligible for a Conditional Initial Certificate  
BR (CA) 6**

**MOVED**, that Section 80-5.17 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2017.

## **P-12 Education**

### **Petition of the City School District of the City of Amsterdam for Consent to Exceed the Constitutional Debt Limit BR (CA) 7**

**MOVED**, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Amsterdam in the amount not to exceed \$48,963,254 for a capital improvement project consisting of reconstruction of various School District buildings, construction and reconstruction of athletic fields and facilities, site work, and acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such reconstructed buildings and facilities are to be used in excess of the constitutional debt limit of said school district.

### **Proposed Amendment of Section 100.18(g) of the Regulations of the Commissioner Relating to the Identification of Local Assistance Plan (LAP) and Focus Schools BR (CA) 8**

**MOVED**, that section 100.18(g) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 18, 2017, 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 the rule adopted at the June 2017 Board of Regents meeting remains continuously in effect until it takes effect as a permanent rule.

**MOVED**, that section 100.18(g) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2017.

### **Proposed Amendment to Subdivision (ee) of Section 100.2 of the Regulations of the Commissioner of Education Relating to Academic Intervention Services BR (CA) 9**

**MOVED**, that section 100.2(ee) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 18, 2017, 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 school districts have sufficient notice of the amendments and are able to implement them, as appropriate, beginning with the 2017-2018 school year and to ensure that the emergency rule adopted by the Board of Regents at its June 2017 meeting remains in effect until it can be adopted as a permanent rule on September 27, 2017.

**MOVED**, that section 100.2(ee) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2017.

**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) 10**

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

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 11**

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

**Proposed Amendment of Section 62.8 of the Regulations of the Commissioner of  
Education Relating to the Continuing Education Requirements for Veterinarians  
and Veterinary Technicians  
BR (CA) 12**

**MOVED**, that paragraph (3) of subdivision (a) of section 62.8 of the Regulations of the Commissioner of Education, paragraph (1) of subdivision (c) of section 62.8 of the Regulations of the Commissioner of Education, and subdivision (g) of section 62.8 of the Regulations of the Commissioner of Education be amended, and paragraph (4) of subdivision (a) of section 62.8 of the Regulations of the Commissioner of Education be added, as submitted, effective September 27, 2017.

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

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

**RESOLUTION**

**VOTED:** That the Board of Regents adopt the following resolution:

**WHEREAS**, on September 7, 2017, Chancellor Rosa and Commissioner Elia submitted joint comments on a regulation proposed by the SUNY Charter Schools Committee regarding the Governance, Structure and Operations of SUNY Authorized Charter Schools Pertaining to Teacher Compliance (SUN-30-17-00024-P); and

**WHEREAS**, the Full Board of Regents is in agreement with and fully supports the comments made in such letter, finding that such proposed action is an affront to a critical tenet in education: rigorous and high-quality teacher preparation programs foster high quality teachers who increase the likelihood of students achieving proficiency on state standards. Our efforts should focus on promoting effective teaching and strengthening and supporting the entire educator preparation pipeline, not eroding it;

**NOW THEREFORE**, be it hereby resolved that the Board of Regents is in full agreement with the educational policy and legal concerns expressed by Chancellor Rosa and Commissioner Elia in such letter and encourages the SUNY Charter Schools Committee to withdraw the proposed regulations immediately.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Luis O. Reyes  
**Action:** Motion carried unanimously.

## **STANDING COMMITTEE REPORTS**

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

Your Committee on Audits/Budget and Finance had its scheduled meeting on September 11, 2017. Regent Josephine Finn, Chair of the Audits/Budget and Finance Committee, submitted the following written report. In attendance were committee members: Regent Finn, Chair, Regents Collins, Mead, and Young.

Regents, in addition to Audits/Budget Committee Members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regents Cashin, Cea, Chin, Johnson, and Reyes as well as, Commissioner Elia and Executive Deputy Commissioner Berlin.

### **ITEMS FOR DISCUSSION**

Chair's Remarks: Regent Finn welcomed everyone. She introduced Beth Berlin, Executive Deputy Commissioner, to present the August 2017 Fiscal Report and Sharon Cates-Williams, Deputy Commissioner, to present the Board of Regents Oversight of Financial Accountability Report.

### **2017 Fiscal Report**

Our Executive Deputy Commissioner provided the Members with the August fiscal report that reflects actual expenditures through August 31, 2017 and projected expenditures through the lapse period ending June 30, 2018. Extensive spending controls continue for all funds. General Fund spending plans reflect the amounts appropriated in the 2017-18 enacted budget. General Fund accounts are in structural balance. Special Revenue

accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is projected to remain at a negative \$2.8 million. Federal Funds reflect current year plans for two-year grant awards.

### **Completed Audits**

The Department's Internal Audit Workgroup reviewed thirty audits that are being presented to the Committee this month. One audit was issued by the United States Department of Education, four were issued by the Office of the New York City Comptroller and twenty-five audits were issued by the Office of the New York State Comptroller. Four audits were of the New York City Department of Education, eighteen audits were of school districts, two of charter schools, four providers of special education services, one community college, and one audit of the State Education Department.

The findings were in the areas of budget/financial reporting, Charter School Management/Tuition, conflict of interest/internal controls, extra-classroom activity fund, fuel accountability/energy management, grant reporting compliance, information technology, reimbursable cost manual compliance, board oversight, community service, credit cards, educational services, fixed assets, oversight of school bus driver qualifications, special education, Title I funds, and transportation State aid.

Deputy Commissioner, Sharon Cates-Williams, gave a brief overview of the completed audits and answered general questions.

### **CULTURAL EDUCATION**

Your Committee on Cultural Education Committee had its scheduled meeting on September 11, 2017. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Chair, Regent Cea, Regent Chin, Regent Johnson, Regent Ouderkirk and Regent Mead. Absent: Regent Cottrell.

Regents, in addition to CE Committee Members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regent Cashin, Regent Collins, Regent Reyes, and Regent Mittler. Also in attendance were Commissioner Elia, Executive Deputy Commissioner Berlin, Senior Deputy Commissioner for Education Policy Jhone Ebert, and Counsel and Deputy Commissioner for Legal Affairs Alison Bianchi.

### **ITEMS FOR DISCUSSION**

Chair's Remarks: Regent Tilles welcomed everyone and introduced Deputy Commissioner Mark Schaming. Mark provided a brief report on Office of Cultural Education news and activities including: the opening of the Erie Canal exhibition on September 16, the newly-signed legislation for the "Love Your Library Fund" tax checkoff,

the upcoming State Archives Annual Research Awards on October 24, and an update on the State Museum gallery renewal project.

### **Recent Acquisitions in Archaeology, Biology, and Geology [CE (D) 1]**

Dr. John P. Hart, Director of Research and Collections at the New York State Museum, highlighted additions to the State Museum's science collections over the past year, including additions in archaeology, biology and geology. By accessioning these collections, originating through research performed by the Museum and other professional scientists, as well as citizen scientists, the Museum ensures that they are preserved to document that research and be available for research and education in perpetuity. The collections are used by the Museum and other institutions in New York, North America, and globally for research and exhibition.

### **New York State Library Talking Book and Braille Library [CE (D) 2]**

State Librarian Bernard Margolis, Senior Librarian at the State Library Shawn Lemieux, and Senior Librarian at the State Library Michael Whitney provided an update on services offered through the New York State Talking Book and Braille Library, which lends audio and braille books and magazines to eligible residents of upstate New York who have a qualifying print disability. The Talking Book and Braille Library (TBBL) serves over 14,000 individual customers and over 2,500 institutions and depositories. Over 343,000 books were circulated in 2016. The Talking Book and Braille Library was the first library to serve the blind in the nation dating back to 1896. TBBL is part of a national network operated by the Library of Congress.

## **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on September 12, 2017. All members were present.

## **ACTION ITEMS**

### **Update on the edTPA Standard Setting Committee and Amendment to Section 80-1.5 of the Regulations of the Commissioner of Education to Extend the edTPA Safety Net and Revise the Eligibility Criteria for the Multiple Measures Review Process**

Your Committee discussed amending Section 80-1.5 of the Regulations of the Commissioner of Education to extend the edTPA Safety Net and revise the eligibility criteria for the Multiple Measures Review Process. Currently, the regulations authorize candidates to take advantage of the edTPA safety net until either the date a new passing score for the edTPA is approved by the Commissioner after a recommendation is made by a new standard setting panel or until June 30, 2018, whichever is earlier. In order to help candidates transition to the Multiple Measures Review Process, the Department

recommends extending the existing safety net to June 30, 2018 even though a new passing score will be effective before this date. Beginning on July 1, 2018, the ATS-W (the current edTPA Safety Net) will no longer be available and candidates will no longer be able to register for or take that exam. Candidates who may want to take advantage of the edTPA Safety Net must plan to take the edTPA and receive their edTPA scores in time to register and sit for the ATS-W. The Department will communicate the edTPA Safety Net extension to the field continuously through June 30, 2018. During this period, the Department will begin to implement the new Multiple Measures Review Process and make such process available to students who meet the criteria. VOTED: That 80-1.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 12, 2017, as an emergency action to preserve the general welfare by ensuring that teacher candidates who will be taking the edTPA from the time the new passing score is implemented until the implementation of the Multiple Measures Review Process are able to take advantage of the Safety Net and are not at a disadvantage. The proposed amendment will become effective as an emergency measure on September 12, 2017. Following the 45-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its December 2017 meeting and would become effective as a permanent rule on December 27, 2017. HE (A) 1

**Proposed Amendment of Sections 30-3.2 and 30-3.5 of the Rules of the Board of Regents and Sections 52.21 and 80-3.10 of the Regulations of the Commissioner of Education Relating to the Adoption of the 2015 Professional Standards for Educational Leaders with Certain New York Specific Modifications for the Purpose of Registration of School Building Leader Programs and School Building Leader Evaluation**

Your Committee discussed amendments to Sections 30-3.2 and 30-3.5 of the Rules of the Board of Regents and Sections 52.21 and 80-3.10 of the Regulations of the Commissioner of Education relating to the adoption of the 2015 Professional Standards for Educational Leaders (PSELs) with certain New York specific modifications for the purpose of registration of school building leader programs and school building leader evaluation. The proposed amendment establishes new professional practice guidelines and expectations for all principals. Any evaluations of the school building leaders under the new standards will go into effect after December 1, 2022. In addition, the proposed amendment requires that any evaluation of principals conducted on or after December 1, 2022 shall be aligned to the PSELs, with modifications as determined by the Board of Regents. However, nothing shall be construed to abrogate any conflicting provisions of any collective bargaining agreement in effect on December 1, 2022 that requires the use of the 2008 ISLLC Standards. This change will require that all principal practice rubrics be resubmitted to the Department through an updated Request for Proposals, which the Department will release to the field prior to December 1, 2022. The ISLLC Standards are also contained in the regulations relating to the clinically rich principal preparation program, which expired on June 30, 2016. In an effort to conform the regulations to current practice, the Department also recommends making a technical amendment to repeal references in Sections 52.21 and 80-3.10 to the clinically rich principal preparation

program. The PSELs must be used beyond school leadership preparation programs to develop competencies and converted into a rubric that will guide principal professional development and principal evaluation. The Commissioner requested that forums be held for principals and other interested stakeholders to react to the adoption of the PSELs. HE (A) 2

## **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 June 12, 2017, copies of which have been distributed to each member of the Board of Regents.

## **MATTERS NOT REQUIRING BOARD ACTION**

### **Proposed Amendment to Section 145-2.1 of the Regulations of the Commissioner of Education Relating to the Eligibility Criteria for the Tuition Assistance Program**

Your Committee discussed a proposed amendment to Section 145-2.1 of the Regulations of the Commissioner of Education relating to the eligibility criteria for the Tuition Assistance Program (TAP). The proposed amendment makes a technical amendment to Section 145-2.1 of the Commissioner's Regulations to change an outdated reference to the Office of Higher and Professional Education to the current name of the Office of Higher Education. The proposed amendment also provides additional flexibility to students who have difficulty meeting full-time status in their program of study during their final year, most typically due to some quantity of extraneous credits earned for college during high school, or due to transfer credits, or extra credits received while the student was pursuing additional majors. The proposed amendment allows a student to meet the full-time study requirement in their second to last semester of eligibility if the student takes at least 6 credits needed to meet their graduation requirements and the student enrolls in at least 12 semester hours or its equivalent. Following the 45-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be adopted as a permanent rule at the December 2017 meeting. HE (D) 1

Requests from Board Members: Regent Cashin asked the Commissioner to direct the Department to convene a meeting with library media experts and educators to discuss issues related to the Library Media Specialist edTPA handbook. Commissioner Elia agreed to move forward with this request.

## **CONSENT AGENDA**

The Board of Regents acted on the following consent agenda items at the September 2017 meeting.

- Degree Conferral. Department staff recommended that the Regents award degrees to students who have successfully completed their programs at Dowling College and Globe Institute. BR (CA) 1
- Iona College Masterplan Amendment – Offer a Bachelor of Arts (B.A.) Degree in Arts Leadership. BR (CA) 2
- Proposed Amendment of Subpart 152-1 of the Regulations of the Commissioner of Education Relating to Higher Education Opportunity Programs. BR (CA) 3 Final adoption of an amendment to Subpart 152-1 of the Regulations relating to HEOP to conform the Regulations to changes in State Education Law.
- Ratification of Action Taken at the July 2017 Regents Meeting to Permanently Adopt a New Part 48 to the Regulations of the Commissioner of Education Related to Annual Aggregate Data Reporting by New York State Institutions of Higher Education Related to Reports of Domestic Violence, Dating Violence, Stalking and Sexual Assault. In July 2017, the Board of Regents permanently adopted a new Part 48 of the Regulations of the Commissioner of Education Related to Annual Aggregate Data Reporting by New York State Institutions of Higher Education Related to Reports of Domestic Violence, Dating Violence, Stalking and Sexual Assault as required by Chapter 76 of the Laws of 2015. After the adoption of the proposed amendment by the Board of Regents at its July meeting, the Department became aware that one public comment concerning the proposed amendment had been received during the 45-day public comment period required under the State Administrative Procedure Act. The Department reviewed the public comment and prepared an Assessment of Public Comment, which is included as Attachment B. No substantive revisions to the proposed amendment are recommended as a result of the public comment received. BR (CA) 4
- Proposed Amendment to Part 80 of the Regulations of the Commissioner of Education Related to Pathways for Candidates to Pursue Transitional A, Initial and/or Professional Career and Technical Education Certificates. BR (CA) 5 Final adoption of amendments to Part 80 of the Regulations of the Commissioner of Education which established additional pathways for candidates to pursue Transitional A, Initial, and/or Professional Career and Technical Education certificates.
- Proposed Amendment to Section 80-5.17 of the Regulations of the Commissioner of Education to Permanently Extend the Option for Certain Out-of-State Candidates to be Eligible for a Conditional Initial Certificate. BR (CA) 6 Final adoption of an amendment to permanently extend the option for certain out-of-state candidates to be eligible and obtain a conditional initial certificate, allowing these candidates one year within which to complete the edTPA requirement.

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on September 11, 2017. All members were present, except for Regents Cottrell and Hakanson, who were excused.

### **ACTION ITEMS**

#### **New York P-12 Learning Standards for the Arts [P-12 (A) 1]**

Your Committee recommends that the Board of Regents approve the New York State P-12 Learning Standards for the Arts to be implemented in all schools beginning July 1, 2018.

#### **Implementation of the Interstate Compact on Educational Opportunity for Military Children and Provisions Relating to Transfer Credits and Diploma Requirements for Physical Education [P-12 (A) 2]**

Your Committee recommends that section 100.5 of the Regulations of the Commissioner of Education be amended and that a new Section 100.20 of the Regulations of the Commissioner of Education be added, as submitted, effective September 27, 2017. These amendments implement the Interstate Compact on Educational Opportunity for Military Children and other provisions relating to exemptions from the assessment requirements for transfer students and diploma requirements for physical education.

#### **Unit of Study Requirements for Career and Technical Education in Grades 7 and 8 [P-12 (A) 3]**

Your Committee recommends that section 100.4(c) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2017. These amendments allow for greater flexibility in meeting the unit of study requirements in grades 7 and 8 in Career and Technical Education (CTE). Regent Mittler voted in opposition.

#### **Next Generation Learning Standards for English Language Arts and Mathematics Update [P-12 (A) 4]**

Your Committee recommends that the Board of Regents approves the Next Generation Learning Standards for English Language Arts and Mathematics.

#### **McKinney-Vento Homeless Assistance Act for the Education of Homeless Children and Youths [P-12 (A) 5]**

Your Committee recommends that the emergency action taken by the Board of Regents at its May Regents meeting to amend section 100.2(x) of the Regulations of the Commissioner of Education be repealed, effective September 18, 2017. Your Committee further recommends that section 100.2(x) of the Regulations of the Commissioner be

amended, as submitted, effective September 19, 2017, 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 immediately adopt the proposed amendment to timely implement the changes to Education Law §3209, as amended by Chapter 56 of the Laws of 2017, for the 2017-2018 school year and the McKinney Vento Homeless Act, as amended by the ESSA and to ensure that the revised rule remain continuously in effect until it can be adopted as a permanent rule at the November Regents 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 12, 2017, copies of which have been distributed to each Regent.

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

Update on the My Brother's Keeper (MBK) Initiative – Regent Young provided an update on the MBK Symposium held on August 30, 2017 in Washington, DC. New York State was invited to participate with Boston and Houston, who had representatives at this meeting. The next New York State MBK Symposium will be held on February 16, 2018 and they are projecting 500 participants from around the state. It is anticipated that an inaugural group of MBK fellows will attend this symposium.

Senior Deputy Commissioner's Report – Senior Deputy Commissioner Jhone Ebert updated the Committee on two important initiatives/celebrations.

**The New York City Department of Education Full Participation in the Community Eligibility Provision.** On Thursday September 7, 2017, the New York City Department of Education (NYCDOE) began providing breakfast, lunch and snacks at no charge to 1.1 million NYC students at approximately 1,600 locations which includes all NYC public schools, as well as early Pre-K, Pre-K, GED, and private and charter schools receiving foodservices from NYCDOE. Department staff was instrumental to having this opportunity made available to all student in NYCDOE.

**180-Day Session Requirement Advisory Committee.** SED has invited organizations to participate on an advisory committee this fall to review all existing laws, regulations, and guidance concerning the 180-day session requirement, including superintendent conference days, staff professional development days, parent-teacher conference days, and other related topics. Five regional meetings will be held around the state in September and October to solicit additional input from stakeholders. Possible regulatory changes may be brought to the Regents later in the fall based on the input received by the Advisory Committee.

**Funding for Preschool Special Class Integrated Setting (SCIS) Programs [P-12 (D) 1]** – As required by Chapter 59 of the laws of 2017, commencing with the 2018-19 school

year, approved preschool integrated special class programs are required to be reimbursed based on an alternative methodology for reimbursement. To develop its recommendation for an alternative model and reimbursement methodology, several Department offices are working together to conduct a comprehensive review of the SCIS program's regulatory requirements and existing funding methodology. The issues and topics for discussion pertaining to the SCIS model and funding are relevant and included in the work of the Board of Regents Early Childhood Blue Ribbon Committee. Priorities of the Early Childhood Blue Ribbon Committee such as creating comprehensive early childhood policies, coordinated support services, and sustained and coordinated funding structures directly align with the objectives for developing a recommendation for an alternative SCIS model; and all discussions on highly effective educators, age-appropriate standards, and family and community engagement are applicable to SCIS programs. The Department will engage stakeholders throughout the fall by conducting meetings on SCIS methodology. Staff will report back to the Regents this winter.

## **CONSENT AGENDA**

The Board of Regents will take action on the following consent agenda items at their September 12, 2017 meeting.

- Regulations Relating to Identification of Local Assistance Plan (LAP) and Focus Schools
- Regulations Relating to Academic Intervention Services;
- Petition of the Amsterdam City School District for Consent to Exceed the Constitutional Debt Limit

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

Your P-12 Education and ACCES Committees held a joint meeting on September 11, 2017. All members were present, except for Regents Cottrell and Hakanson, who were excused.

## **MATTERS NOT REQUIRING BOARD ACTION**

**Proposal for a New Pathway to a New York State High School Equivalency Diploma** – the Committee was presented with a proposal for a new pathway to a NYS High School Equivalency (HSE) Diploma. There are currently three pathways toward earning a HSE diploma: TASC™ testing (Test Assessing Secondary Completion); approved 24-College-Credit Program; and National External Diploma Program (NEDP). The fourth pathway presented today would allow students who have passed any Regents high school examination in Mathematics, English language arts, Social Studies or Science, the opportunity to use passing scores in place of the corresponding TASC™ subtests. The four pathways to an HSE diploma will provide equitable access points and a diverse means by which New Yorkers can earn HSE credentials. The ability to use passing

Regents examination scores toward earning an HSE diploma will expand the opportunity for high-school students at risk of dropping out as well as students with disabilities to stay engaged with their education and offer an incentive for meeting graduation requirements to those whose circumstances may not allow for completion of high school. Department staff will develop proposed amendments to regulations for discussion at a future date.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on September 11, 2017. All members were present, except Regent James E. Cottrell and Regent Elizabeth S. Hakanson, who were excused. Chancellor Betty A. Rosa was 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 8 cases, with Regent Josephine Victoria Finn abstaining in three of those cases (Cal. Nos. 28138, 28139, and 29591). In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 66 consent order applications and 22 surrender applications be granted, and further recommends that 2 summary suspension applications be granted.

These recommendations are made following the review of 98 cases involving twenty-seven registered professional nurses, twenty-one licensed practical nurses, six pharmacists, five certified public accountants, four licensed practical nurses who are also registered professional nurses, three architects, three licensed clinical social workers, three pharmacies, two clinical laboratory technologists, two dentists, two massage therapists, one chiropractor, one licensed master social worker, one licensed master social worker who is also a licensed clinical social worker, one licensed practical nurse who is also a registered professional nurse and a nurse practitioner (Adult Health), one occupational therapy assistant, one physical therapist, one podiatrist, one professional engineer, one registered professional nurse who is also a nurse practitioner (Pediatrics), one respiratory therapy technician who is also a respiratory therapist, and one veterinarian.

### **Restorations**

Your Committee recommends the following:

That the application of Richard Finder for the restoration of his license to practice as a chiropractor in New York State be denied. [PPC EXS (A) 5]

That, with four members of the committee voting acceptance of the application and with Regent Catherine Collins voting in opposition, the revocation of Safwat Youssef's license to practice as a physician in the State of New York be stayed; that he be placed on probation for a period of two years; and that, upon successful completion of probation, his license be fully restored. [PPC EXS (A) 6]

Long-Term Clinical Clerkships [PPC EXS (A) 4]

Your Committee recommends the following: That the application of Saint Matthew's University, Grand Cayman, to place students in long-term clinical clerkships in New York be approved, in accordance with and subject to the recommendations of the Advisory Committee on Long-term Clinical Clerkships.

That the application of Windsor University School of Medicine, St. Kitts, to place students in long-term clinical clerkships in New York be denied.

## **APPROVALS**

### **Regulations: Education Requirements for Certification as a Certified Athletic Trainer**

Your Committee recommends the following: That subdivision (b) of section 79-7.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 27, 2017. The amendment would eliminate, by July 1, 2022, the pathway which would allow individuals who do not have baccalaureate degrees in athletic training to meet the education requirements for New York certification as a certified athletic trainer, if they have a baccalaureate or higher degree, and meet other specified requirements. [PPC (A) 1]

## **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 11, 2017, copies of which have been distributed to each Regent.

## **MATTERS NOT REQUIRING BOARD ACTION**

Your Committee discussed several topics of interest, including:

- Deputy Commissioner's Report/Update

Full Board Consent Agenda Items

- Board (Re)Appointments
- Licensing Petitions
- Proposed Amendment of Section 62.8 of the Regulations of the Commissioner of Education Relating to the Continuing Education Requirements for Veterinarians and Veterinary Technicians

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

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

### **INFORMATION**

#### **Review of Existing Rules (Calendar Years 2014, 2013, 2012, 2007, 2002, and 1997) Notice of Continuation Without Modification BR (I) 1**

The Review of Existing Rules-Notice of Continuation Without Modification will be published in the State Register on September 27, 2017.

### **ACTION ITEM**

#### **State Education Department August 2017 Fiscal Report BR (A) 3**

**MOVED**, that the Board accepts the August 2017 State Education Department Fiscal Report as presented.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Catherine Collins  
**Action:** Motion carried unanimously.

### **APPOINTMENTS**

#### **Appointment of Associate Commissioner for the Office of Accountability BR (A) 5**

**MOVED**, that the Board of Regents approve the appointment of Ira Schwartz to the position of Associate Commissioner for the Office of Accountability.

#### **Appointment of Assistant Commissioner for the Office of Innovation & School Reform BR (A) 6**

**MOVED**, that the Board of Regents approve the appointment of Kimberly Wilkins to the position of Assistant Commissioner for the Office of Innovation and School Reforms.

**Appointment of Associate Commissioner for the Office of School Operations and Management Services  
BR (A) 7**

**MOVED**, that the Board of Regents approve the appointment of Renee Rider to the position of Associate Commissioner for the Office of School Operations and Management Services.

**Appointment of Assistant Commissioner for the Office of Assessment  
BR (A) 8**

**MOVED**, that the Board of Regents approve the appointment of Steven Katz to the position of Assistant Commissioner for the Office of Assessment.

**Appointment of Assistant Commissioner for the Office of School Governance, Policy, and Religious and Independent Schools  
BR (A) 9**

**MOVED**, that the Board of Regents approve the appointment of Christina Coughlin to the position of Assistant Commissioner for the Office of School Governance, Policy, and Religious and Independent Schools.

**Appointment of Deputy Counsel  
BR (A) 10**

**MOVED**, that the Board of Regents approve the appointment of Shannon Tahoe to the position of Deputy Counsel.

**Motion by:** Regent Christine D. Cea  
**Seconded by:** Regent Judith Chin  
**Action:** Motion carried unanimously.

**PRESENTATIONS**

**Announcement of the Marge A. Tierney Memorial Scholarship Award Winner**

The 2017 Marge A. Tierney Scholarship was awarded by Commissioner MaryEllen Elia to Ms. Simone Sylvester, of Brooklyn, New York.

**Teacher of the Year**

Commissioner Elia and Chancellor Rosa opened the Teacher of the Year Awards (Attachment II.)

Regent Roger Tilles introduced finalists Brian Sztabnik, Christina Pawlowski and Rosa Ismail.

Brian Sztabnik is a 12<sup>th</sup> grade English and Advanced Placement Literature and Composition teacher at Miller Place High School in Miller Place.

Christina Pawlowski is a New York State Master Teacher. She teaches Advanced Placement and college level mathematics at Commack High School in Commack.

Rosa Ismail is an English as a New Language teacher for Kindergarten through 3rd grade students at Fort Salonga Elementary School in Fort Salonga.

Regent Catherine Collins announced finalist Mary Howard. Mary is certified in elementary education and teaches English Language Arts and social studies to 6th graders at the Veronica E. Connor Middle School in Grand Island.

Vice Chancellor T. Andrew Brown presented the Teacher of the Year for 2018 Christopher Albrecht, of Fred W. Hill School in the Brockport Central School District, Brockport, New York. Mr. Albrecht also received the Commissioner Thomas Sobol Award and the David Johnson Award.

Brian Albrecht and Amy Hysick, the 2017 Teacher of the Year provided remarks.

Jolene T. DiBrango, NYSUT Executive Vice President, congratulated the winner and finalists.

Vice Chancellor T. Andrew Brown adjourned the meeting.

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

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Aurora Masonic Center	CE	Cayuga (Aurora)	Extend provisional charter for five years.
Duanesburg Historical Society	CE	Schenectady (Duanesburg)	Extend provisional charter for five years.
Ellington Farman Library	CE	Chautauqua (Ellington)	Grant an absolute charter.
Fayetteville Free Library	CE	Onondaga (Fayetteville)	Amend charter to: <ul style="list-style-type: none"> <li>• specify the number of trustees to be not less than five nor more than fifteen;</li> <li>• specify the trustee term length to be three years;</li> <li>• eliminate the ex officio positions for the “president of the village of Fayetteville” and the “president of the Fayetteville Board of Education”; and</li> <li>• designate the library’s service area to be coterminous with the Village of Fayetteville and portions of the Fayetteville-Manlius Central School District described by specific census tract numbers.</li> </ul>
The Heuvelton Historical Association	CE	St. Lawrence (Heuvelton)	Extend provisional charter for five years.
Johnsburg Historical Society	CE	Warren (Wevertown)	Extend provisional charter for five years.
Katonah Village Library	CE	Westchester (Katonah)	Amend charter to: <ul style="list-style-type: none"> <li>• specify the number of trustees to be not less than nine nor more than fifteen;</li> <li>• designate Commissioner as agent for service; and</li> <li>• update IRS dissolution language.</li> </ul>
Museum of Hasidic Life	CE	Kings (Brooklyn)	Grant provisional charter for five years.

Olive Free Library Association	CE	Ulster (West Shokan)	Amend charter to: <ul style="list-style-type: none"> <li>• specify the number of trustees to be not less than seven nor more than eleven;</li> <li>• designate the library's service area to be coterminous with the Town of Olive;</li> <li>• designate Commissioner as agent for service; and</li> <li>• update IRS dissolution language.</li> </ul>
Otsego County Historical Association	CE	Otsego (Hartwick)	Grant a Regents certificate of incorporation.
Solvay Public Library	CE	Onondaga (Solvay)	Amend charter to specify the number of trustees to be not less than five nor more than nine and trustee term length to be five years.
Al-Rasheed Academy	P12	Erie (Lackawanna)	Amend charter to add authority to operate grades nine through twelve and extend provisional charter for three years.
Bright Hope Academy Center	P12	Schenectady (Schenectady)	Grant provisional charter for three years.
Cathedral School of St. John the Divine	P12	New York (New York)	Amend charter to increase the maximum number of trustees from 25 to 29.
Catholic Academy of West Buffalo	P12	Erie (Buffalo)	Extend provisional charter for three years.
Destiny Christian School	P12	Monroe (Rochester)	Grant an absolute charter.
Helping Hand Academy	P12	Queens (Queens Village)	Grant provisional charter for three years.
Helping Hand Academy II	P12	Queens (Hollis)	Grant provisional charter for three years.
The Webster Montessori School	P12	Monroe (Webster)	Amend charter to include the operation of grades fourth through sixth.
Yeshiva Gedolah Academy of Beth Aaron Synagogue	P12	Kings (Brooklyn)	Amend charter to change the corporate address to 2102 Avenue T, Brooklyn, NY 11229

Finger Lakes Health College of Nursing	OP	Ontario (Geneva)	Amend charter to change the corporate name to "Finger Lakes Health College of Nursing and Health Sciences".
Marymount Manhattan College	OP	New York (New York)	Amend charter to add authority to confer the Master of Science (M.S.) degree program in Speech-Language Pathology.
Yeshiva University	HE	New York (New York)	Amend charter to add authority to confer the Master of Studies in Law (M.S.L.) degree.

## **Appendix II**

### **REGENTS ACTIONS IN 98 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS**

**September 11 - 12, 2017**

The Board of Regents announced disciplinary actions resulting in the in the summary suspension of 2 licenses, revocation of 1 license, surrender of 21 licenses and 1 certificate, and 73 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. SUMMARY SUSPENSIONS**

##### **Chiropractic**

Seth G. Kohl; Albany, NY 12208; Lic. No. 005269; Cal. No. 29959; Application for summary suspension granted.

##### **Pharmacy**

Robert Wallace Kendzia; Pharmacist; Niagara Falls, NY 14304-4326; Lic. No. 022673; Cal. No. 29960; Application for summary suspension granted.

#### **II. REVOCATION AND SURRENDERS**

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

James Richard Linthicum; Professional Engineer; Pickerington, OH 43147; Lic. No. 071320; Cal. No. 29757; Application to surrender license granted. Summary: Licensee did not contest the charge of willfully failing to complete mandatory continuing education requirements.

##### **Nursing**

Crystal M. Waters; Registered Professional Nurse; High Springs, FL 32643-5507; Lic. No. 535270; Cal. No. 27499; Application to surrender license granted. Summary: Licensee did not contest the charge of accessing medical records.

Ingrid Charmaine Gordon-Patterson; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Adult Health); Bedford Hills, NY 10507; Lic. Nos. 256224, 500116, Cert. No. 305202; Cal. Nos. 28529, 28530, 28531; Application to surrender licenses and certificate granted. Summary: Licensee did not contest the charge of having been convicted of Conspiracy in the 2nd Degree, a class B felony; Conspiracy in the 4th Degree, a class E felony; Criminal Possession of Weapon in the 4th Degree, a class A

misdemeanor; and Criminal Sale of a Prescription for a Controlled Substance, a class C felony.

Angela M. Savon; Licensed Practical Nurse; Vanetten, NY 14889; Lic. No. 279581; Cal. No. 28755; Application to surrender license granted. Summary: Licensee admitted to the charge of stealing hydromorphone and oxycodone.

Justin J. Washburn; Licensed Practical Nurse; Patterson, NY 12563-2419; Lic. No. 284239; Cal. No. 28777; Found guilty of professional misconduct; Penalty: Revocation.

Jeanne Doris Mosher a/k/a Jeanne Doris Spickerman a/k/a Jeanne Doris Hayes; Licensed Practical Nurse; Bedford Hills, NY 10507-2400; Lic. No. 279827; Cal. No. 29727; Application to surrender license granted. Summary: Licensee admitted to the charge of Predatory Sexual Assault Against a Child.

Jason V. Battaglia; Licensed Practical Nurse; North Massapequa, NY 11758; Lic. No. 302362; Cal. No. 29738; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Grand Larceny in the 4th Degree, a class E felony.

Karen E. Bellknap; Registered Professional Nurse; Grand Bay, AL 36541; Lic. No. 524161; Cal. No. 29792; Application to surrender license granted. Summary: Licensee admitted to the charge of Alabama discipline.

Karen Handy; Licensed Practical Nurse; West Palm Beach, FL 33406; Lic. No. 099258; Cal. No. 29824; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to maintain accurate patient records in the State of Florida, which conduct would be considered committing unprofessional conduct if committed in New York State.

Mariamamma Thomas; Licensed Practical Nurse; Mesquite, TX 75150; Lic. No. 123158; Cal. No. 29828; Application to surrender license granted. Summary: Licensee did not contest the charge of documenting in the medication administration record of a patient that medication had been administered when there were no medication withdrawals from the medication dispensing system associated with the time or date of purported administration.

Janet T. Conklin; Registered Professional Nurse; New Milford, PA 18834; Lic. No. 244035; Cal. No. 29830; Application to surrender license granted. Summary: Licensee admitted to the charge of being dependent on and a habitual user of the controlled substance oxycodone in Pennsylvania.

Susanne D. Coffman a/k/a Susanne D. Crockett; Registered Professional Nurse; Humboldt, TN 38343; Lic. No. 511868; Cal. No. 29831; Application to surrender license granted. Summary: Licensee admitted to the charge of falsely stating on an application

for licensure as a registered professional nurse that she never had been convicted of a crime in any state or country.

Faith H. Vickerie-Morgan; Registered Professional Nurse; Alpharetta, GA 30005; Lic. No. 400257; Cal. No. 29836; Application to surrender license granted. Summary: Licensee admitted to charges of practicing the profession of nursing in the State of Georgia without a valid license and failing to disclose discipline in Georgia on a New York registration renewal application.

Katia Erika Donnelly; Registered Professional Nurse; Bedford Hills, NY 10507-2498; Lic. No. 475002; Cal. No. 29852; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Grand Larceny in the 2nd Degree, a class C felony.

Margaret Steinberg; Registered Professional Nurse; Poughkeepsie, NY 12603; Lic. No. 379198; Cal. No. 29859; Application to surrender license granted. Summary: Licensee admitted to the charge of, while employed and on duty as a nurse at a hospital, removing a controlled substance from the drug supply of the hospital under the name of another nurse and without authorization or physician's order.

Jocelyn Renee Mayes; Registered Professional Nurse; Gilbert, AZ 85298-8335; Lic. No. 601634; Cal. No. 29865; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to enter documentation and vital signs in a patient record.

Bonnie Sue Davidson; Registered Professional Nurse; Jacksonville, FL 32207; Lic. No. 715519; Cal. No. 29866; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to disclose on their application for licensure as a registered professional nurse that they were disciplined by the Colorado State Board of Nursing.

David R. Wallace III; Registered Professional Nurse; Middleburg, FL 32068-1707; Lic. No. 475163; Cal. No. 29867; Application to surrender license granted. Summary: Licensee did not contest the charge of exhibiting conduct which evidenced moral unfitness to practice the profession of nursing.

Linda Gail Horton; Licensed Practical Nurse; Waterloo, IA 50704; Lic. No. 173118; Cal. No. 29868; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to provide assistance to a patient who was experiencing a rectal bleed and failing to recognize that another patient's death was imminent, thereby failing to notify said patient's family of the change in status as requested.

## **Podiatry**

Frederick Marc Weintraub; New York, NY 10007; Lic. No. 004002; Cal. No. 29804; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Distributing a Schedule II Controlled Substance, a felony.

## **Social Work**

Megan Marie Trask; Licensed Master Social Worker; Falconer, NY 14733; Lic. No. 086911; Cal. No. 29614; Application to surrender license granted. Summary: Licensee admitted to the charge of Official Misconduct, a misdemeanor.

## **III. OTHER REGENTS DISCIPLINARY ACTIONS**

### **Architecture**

John Calvin Hulme; New York, NY 10013; Lic. No. 020419; Cal. No. 29674; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 3 months and until successful participation in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation, \$2,000 fine payable within 3 months.

Robert Micheaux Coleman III; Baton Rouge, LA 70806; Lic. No. 019416; Cal. No. 29829; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation to commence upon return to practice in the State of New York, \$5,000 fine payable within 30 days.

J. Mark Wiedmann; Wayne, PA 19087; Lic. No. 028963; Cal. No. 29834; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

### **Clinical Laboratory Technology**

Kathleen Merry Wimmer a/k/a Kathleen Merry Delaney; Clinical Laboratory Technologist; Alden, NY 14004; Lic. No. 008403; Cal. No. 29592; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until mentally and physically fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$250 fine payable within 6 months.

Norman Michael Park; Clinical Laboratory Technologist; Amherst, NY 14228-1658; Lic. No. 015556; Cal. No. 29609; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

### **Dentistry**

Joseph Appiah-Forson; Dentist; Philadelphia, PA 19153; Lic. No. 044707; Cal. No. 29733; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence if and when return to practice in the State of New York.

Charlotte D. Lee; Dentist; Cresskill, NJ 07626; Lic. No. 040339; Cal. No. 29789; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$3,500 fine payable within 30 days.

### **Massage Therapy**

Jacqueline Bontzolakes; Tonawanda, NY 14151-0022; Lic. No. 019938; Cal. No. 28288; Found guilty of professional misconduct; Penalty: 2 years suspension, execution of suspension stayed, probation 2 years to run concurrently with period of suspension.

Lisa Marie Vincent; Red Hook, NY 12571; Lic. No. 027541; Cal. No. 29742; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

### **Nursing**

Helen Jennings; Licensed Practical Nurse, Registered Professional Nurse; Attica, NY 14011; Lic. Nos. 250627, 493450; Cal. Nos. 27939, 27940; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Sharon M. Spears a/k/a Sharon Spears a/k/a Sharon West; Licensed Practical Nurse, Registered Professional Nurse; Danbury, CT 06810; Lic. Nos. 249808, 582852; Cal. Nos. 28138, 28139; Found guilty of professional misconduct; Penalty: 2 year suspensions, each to commence February 1, 2018, execution of last 22 months of said suspensions stayed.

Emmanuel Uvie Igho; Licensed Practical Nurse; Hillside, NJ 07205-2520; Lic. No. 306666; Cal. No. 28325; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$1,500 fine.

Misty Dawn Currington; Registered Professional Nurse; Williamson, NY 14589-9362; Lic. No. 544287; Cal. No. 28741; Found guilty of professional misconduct; Penalty: \$500 fine, 2 year suspension, execution of last 21 months of suspension stayed, probation 2 years to commence upon actual return to practice.

Miranda Lynn Rodriguez a/k/a Miranda Lynn Smith; Licensed Practical Nurse; Delevan, NY 14042-9752; Lic. No. 273683; Cal. No. 28841; Found guilty of professional misconduct; Penalty: \$500 fine, 2 year suspension, execution of suspension stayed, probation 2 years.

Yvonne M. Jones; Licensed Practical Nurse; Wellsburg, NY 14894; Lic. No. 309035; Cal. No. 28960; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, upon service of first 6 months of suspension,

2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Sarah Elizabeth Wilson; Registered Professional Nurse; Sherburne, NY 13640; Lic. No. 668507; Cal. No. 28980; 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.

Susan Elizabeth Colman; Registered Professional Nurse; Syracuse, NY 13204; Lic. No. 490340; Cal. No. 29409; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until mentally and physically fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 3 months.

Crystal Arnell Cobbins; Licensed Practical Nurse; Albany, NY 12206; Lic. No. 296665; Cal. No. 29436; 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, \$250 fine payable within 3 months.

Donald E. Moss a/k/a Donald E. Moss II; Registered Professional Nurse; Millport, NY 14864; Lic. No. 630440; Cal. No. 29443; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Caroline Ruth Ferris; Registered Professional Nurse; Islip Terrace, NY 11752; Lic. No. 372072; Cal. No. 29449; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lynn Marie Melisz; Registered Professional Nurse, Nurse Practitioner (Pediatrics); Orchard Park, NY 14127; Lic. No. 577020, Cert. No. 382316; Cal. Nos. 29459, 29458; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence if and when return to practice, \$500 fine payable within 3 months.

Lori Elizabeth Labarre; Registered Professional Nurse; East Syracuse, NY 13057; Lic. No. 604895; Cal. No. 29467; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Asmeret Tesfagiorgis Yohannes; Licensed Practical Nurse; Rochester, NY 14615; Lic. No. 315304; Cal. No. 29476; 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, \$250 fine payable within 6 months.

Amy M. Bengough; Registered Professional Nurse; Deansboro, NY 13328-0064; Lic. No. 455478; Cal. No. 29481; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 2 years and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Deanna T. Marino; Licensed Practical Nurse; Rochester, NY 14606; Lic. No. 303658; Cal. No. 29521; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Natalie Monica Rodriguez; Licensed Practical Nurse, Registered Professional Nurse; Brooklyn, NY 11233; Lic. Nos. 253610, 597781; Cal. Nos. 29523, 29522; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kristen Marie Clancy a/k/a Kristen M. Clancy; Licensed Practical Nurse; Bath, NY 14810; Lic. No. 306225; Cal. No. 29528; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jennifer Jane Yates; Registered Professional Nurse; Naples, NY 14512; Lic. No. 656319; Cal. No. 29535; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Magdalena Hernandez; Licensed Practical Nurse; Amsterdam, NY 12010; Lic. No. 317401; Cal. No. 29549; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Kara Joy Lupino; Licensed Practical Nurse; Sauquoit, NY 13456; Lic. No. 310787; Cal. No. 29552; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Erika J. Saya; Licensed Practical Nurse, Registered Professional Nurse; Niagara Falls, NY 14304; Lic. Nos. 277208, 563651; Cal. Nos. 29555, 29554; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Rajni Sahi; Registered Professional Nurse; Jamaica, NY 11432-3435; Lic. No. 595476; Cal. No. 29561; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Suzanne M. Shumway; Licensed Practical Nurse; Greenwich, NY 12834; Lic. No. 253927; Cal. No. 29586; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$500 fine.

Yvonne Barnett Malcolm; Licensed Practical Nurse; Brooklyn, NY 11233; Lic. No. 101575; Cal. No. 29596; 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.

Amanda L. Gus; Licensed Practical Nurse; Hartwick, NY 13348; Lic. No. 285907; Cal. No. 29621; Application for consent order granted; Penalty agreed upon: 1 month actual

suspension, 23 month stayed suspension, 2 years probation to commence subsequent to actual suspension and upon return to practice, \$500 fine payable within 6 months.

Elizabeth Regina Fox; Registered Professional Nurse; Stamford, NY 12167; Lic. No. 619114; Cal. No. 29649; 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 3 months.

Helen M. Fitzpatrick; Registered Professional Nurse; Brooklyn, NY 11215; Lic. No. 465159; Cal. No. 29651; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 2 months and until successful participation in therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation, \$500 fine.

Tamara N. Holland; Licensed Practical Nurse; Rochester, NY 14624; Lic. No. 294695; Cal. No. 29664; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 4 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.

Katrina Anne Simmons; Licensed Practical Nurse; Hudson, NY 12534; Lic. No. 218665; Cal. No. 29687; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Chung Hyun Kim; Registered Professional Nurse; Leesburg, VA 20176; Lic. No. 600077; Cal. No. 29690; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence if and when return to practice in the State of New York, \$250 fine payable within 30 days.

Barbara Hazzard; Licensed Practical Nurse; Elmont, NY 11003; Lic. No. 191596; Cal. No. 29694; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Marina Kozyrev; Registered Professional Nurse; Staten Island, NY 10305; Lic. No. 590216; Cal. No. 29724; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Myrna W. Diaz; Registered Professional Nurse; Webster, TX 77598; Lic. No. 564412; Cal. No. 29835; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 12 months probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Anne Enson Sklenar; Registered Professional Nurse; Beacon, NY 12508-1222; Lic. No. 231194; Cal. No. 29863; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$500 fine payable within 2 months.

## **Occupational Therapy**

Nicoletta Lococo; Occupational Therapy Assistant; Buffalo, NY 14210; Cert. No. 006317; Cal. No. 29407; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation.

## **Pharmacy**

Ashoka Benedict Gomes; Pharmacist; Flushing, NY 11354; Lic. No. 055183; Cal. No. 28330; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Monsur Ahmed Chowdhury; Pharmacist; Richmond Hill, NY 11418-1020; Lic. No. 050290; Cal. No. 28704; Application for consent order granted; Penalty agreed upon: \$5,000 fine payable within 30 days.

Amin Pharmacy, Inc.; Pharmacy; 29-03 36th Avenue Long Island City, NY 11106; Reg. No. 028775; Cal. No. 28705; Application for consent order granted; Penalty agreed upon: \$5,000 fine payable within 30 days.

Michael Arnold Fox; Pharmacist; Staten Island, NY 10312-5111; Lic. No. 028145; Cal. No. 29474; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$2,000 fine payable within 30 days.

Prescription Center of Staten Island, Inc. d/b/a Eltingville Pharmacy; Pharmacy; 3948 Richmond Avenue, Staten Island, NY 10312; Reg. No. 016203; Cal. No. 29475; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$2,000 fine payable within 30 days.

Iftikhar Q. Chughtai; Pharmacist; Glen Head, NY 11545; Lic. No. 028642; Cal. No. 29557; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,000 fine.

Siri Pharmacy, Inc.; Pharmacy; 23 Flatbush Avenue, Brooklyn, NY 11217; Reg. No. 017607; Cal. No. 29558; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,000 fine.

Christopher Richard Hanley; Pharmacist; Copiague, NY 11726-3322; Lic. No. 054822; Cal. No. 29691; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

## **Physical Therapy**

Ruthie Cinco Bacani a/k/a Ruthie Bucu; Physical Therapist; San Jose, CA 95136-4018; Lic. No. 028239; Cal. No. 29787; Application for consent order granted; Penalty agreed

upon: Censure and Reprimand, 1 year probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

### **Public Accountancy**

Sheldon Zorfas; Certified Public Accountant; Brooklyn, NY 11217; Lic. No. 036075; Cal. No. 29542; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, following termination of said partial actual suspension, 2 years probation, \$1,500 fine payable within 1 month.

Sunil Baran Mukherjee; Certified Public Accountant; Brewster, NY 10509; Lic. No. 048493; Cal. No. 29544; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain until successful completion of course of retraining in said certain area, following termination of said partial actual suspension, 2 years probation, \$8,000 fine payable within 2 months.

Kayode G. Agunbiade; Certified Public Accountant; East Orange, NJ 07018; Lic. No. 046507; Cal. No. 29580; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Lam Shan Mui; Certified Public Accountant; Whitestone, NY 11357; Lic. No. 072623; Cal. No. 29601; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation, \$1,000 fine.

Seung Chan Park; Certified Public Accountant; Dix Hills, NY 11746-6309; Lic. No. 108785; Cal. No. 29720; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, following termination of said partial actual suspension, 2 years probation, \$2,500 fine payable within 2 months.

### **Respiratory Therapy**

Jonathan Carl Miller a/k/a Jonathon Miller; Respiratory Therapy Technician, Respiratory Therapist; Scott Township, PA 18433; Lic. Nos. 000713, 004499; Cal. Nos. 28902, 28901; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$250 fine payable within 30 days.

### **Social Work**

Eugene Domenico; Licensed Clinical Social Worker; Lockport, NY 14094-2934; Lic. No. 034738; Cal. No. 28829; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of last 12 months of suspension stayed, probation 2 years to commence upon actual return to practice.

Michael D. Nott; Licensed Clinical Social Worker; Port Washington, NY 11050; Lic. No. 080001; Cal. No. 29430; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$1,000 fine.

Yvonne Barnett Malcolm; Licensed Master Social Worker, Licensed Clinical Social Worker; Brooklyn, NY 11233; Lic. Nos. 040423, 070398; Cal. Nos. 29597, 29598; 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.

Thomas Christopher Stephens; Licensed Clinical Social Worker; Olean, NY 14760; Lic. No. 041588; Cal. No. 29599; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

### **Veterinary Medicine**

Vanessa Marie Hammer; Veterinarian; Glen Head, NY 11545-1404; Lic. No. 012559; Cal. No. 29569; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

### **IV. RECONSIDERATION**

Bradley Edward Winslow; Registered Professional Nurse; Glens Falls, NY 12801; Lic. No. 529397; Cal. No. 29591; Application for reconsideration granted to the extent set forth by the Regents Review Committee, Vote & Order under Cal. No. 24318 modified, Term of Probation numbered 3 amended.

### **V. RESTORATIONS**

The Board of Regents voted on September 12, 2017 to deny the application for restoration of the chiropractic license of Richard Finder, Water Mills, NY. Dr. Finder's license was surrendered March 15, 2005.

The Board of Regents voted on September 12, 2017 to stay the execution of the order of revocation of the physician license of Safwat A. Youssef, Staten Island, NY, to place him on probation for two years under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Dr. Youssef's license was revoked April 8, 2004.

# ATTACHMENT I



New York State Board of Regents  
MaryEllen Elia  
Commissioner of Education  
The State Education Department  
The University of the State of New York / Albany, NY12234  
Office of Communications



## NEWS

**FOR IMMEDIATE RELEASE September 12, 2017**

For More Information, Contact:  
Jonathan Burman or Jeanne Beattie  
(518) 474-1201  
[www.nysed.gov](http://www.nysed.gov)

### **STATEMENT FROM CHANCELLOR BETTY A. ROSA AT THE OPENING OF THE BOARD OF REGENTS MEETING ON THE ANNIVERSARY OF 9/11**

Chancellor Betty A. Rosa delivered the following Moment of Reflection at the start of the September meeting of the NYS Board of Regents:

“Sixteen years ago, on this day, our country was attacked by a foreign entity. Thousands of people lost their lives and the hopes and dreams of many families were changed forever more. The scars of that day will remain with us for eternity.

A few of us on this Board were district superintendents in NYC then, and on the morning of September 11, 2001, we were in a meeting in downtown Brooklyn – about 2 miles from the World Trade Center – when we received the news of the planes crashing into the twin towers. We hurriedly left the meeting and headed back to our districts, not yet realizing the depth of the issues we’d soon be facing in our schools and communities. It was a long and dark day. We needed time to recover and to find our bearings. And now, 16 years later, our nation again seeks direction, but this time for many other reasons.

Today, here and now, I am honored to say, that the work we have done and will continue to do, will enable New York State to shine a bright light for all to see and we will proudly lead the way in providing equitable educational opportunities for all children no matter their identified gender, sexual orientation, status of citizenship, economic standing, special needs, race, ethnicity, religion or primary language – and this will be done equitably and in integrated and inclusive settings for the benefit of everyone.

And this is not about making America great again; rather, it's about fulfilling the promise of America, it's about justice, it's about morality, it's about reparation, it's about integrity, it's about demonstrating the potential of the human spirit at its best – and yes, it's about those who dare to DREAM about being part of the American culture and to contribute their threads of beauty and genius to the fabric of this land.

Dr. Martin Luther King Jr. envisioned the Beloved Community in which all are embraced and no one is discriminated against. I believe that Dr. King was the cartographer of the map that we now use to guide us on our journey.

As a Board and as a Department responsible for the lives and futures of millions of children, we have chosen to provide an educational system that not only supports all children equitably, but one that also encourages brotherhood and citizenship along with intellectual achievement.

And please let us not forget the children in our state who are homeless, who live in poverty, and who struggle every day to attend school. And may we keep in mind through our prayers, thoughts, and deeds, those children and families in Texas, Florida, and throughout the Caribbean whose lives were upended by the recent disastrous hurricanes.

Your continued commitment is recognized and greatly appreciated. Thank you.

**-30-**

Visit [EngageNY.org](http://EngageNY.org)  
Follow the Commissioner on Twitter: @NYSEDNews



September 11, 2001



September 11, 2001



Kayla Bergeron's shoes ( Kalya Pictured on left.) Evacuated from WTC North Tower

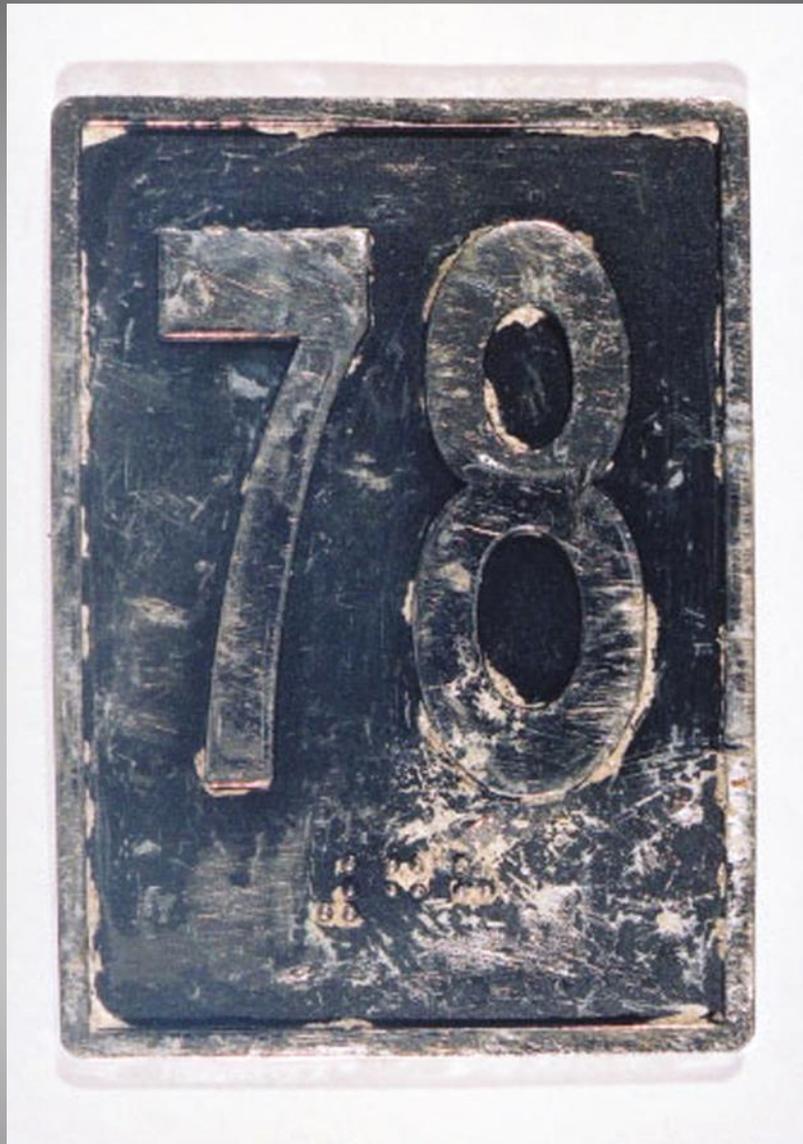


September 11, 2001



WTC Evacuation sign  
Collection, NYSM

September 11, 2001



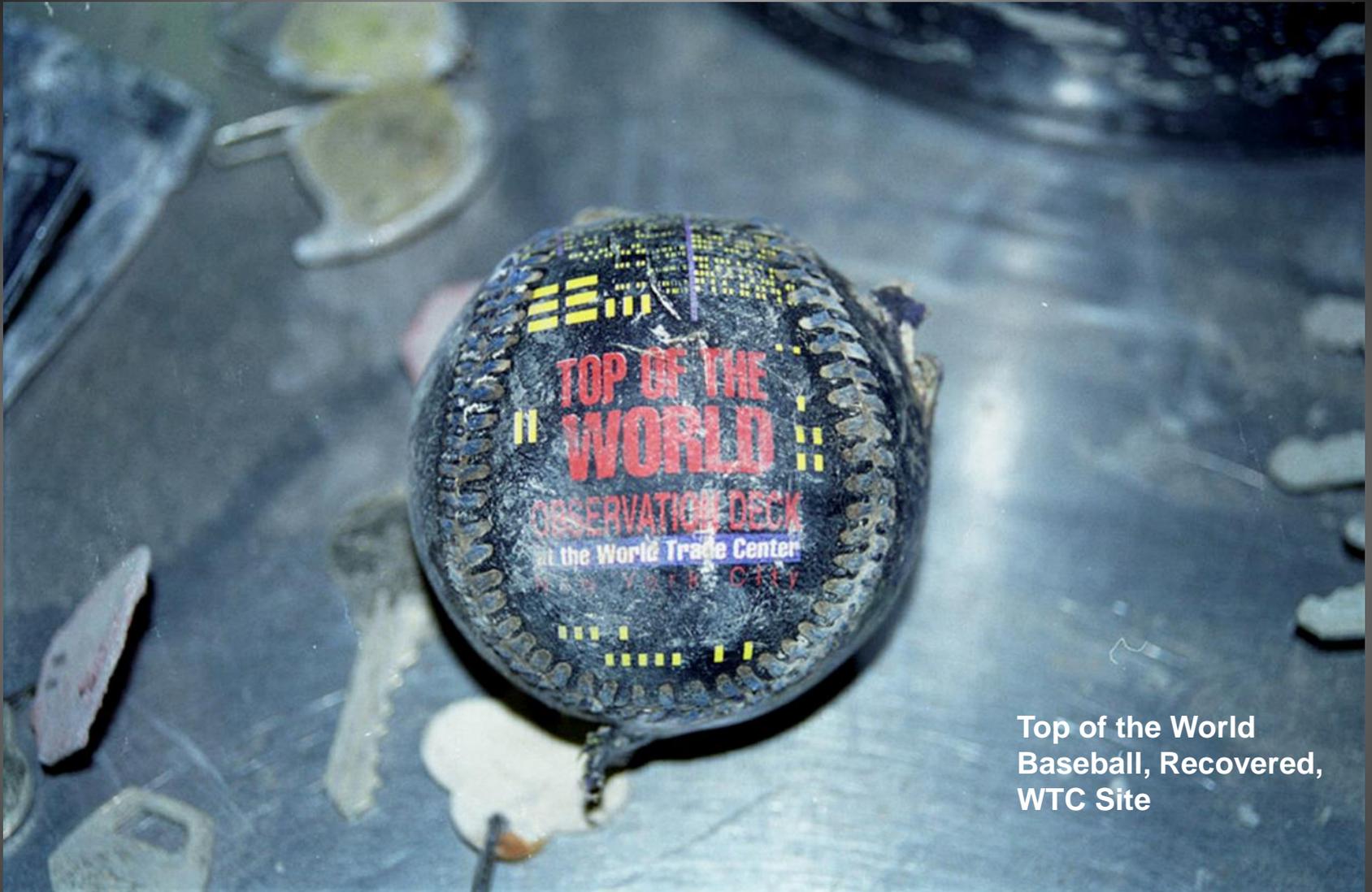
WTC 78 Floor Elevator  
plaque, collection,  
New York State Museum

September 11, 2001



WTC Souvenir,  
Collection,  
New York State  
Museum

September 11, 2001

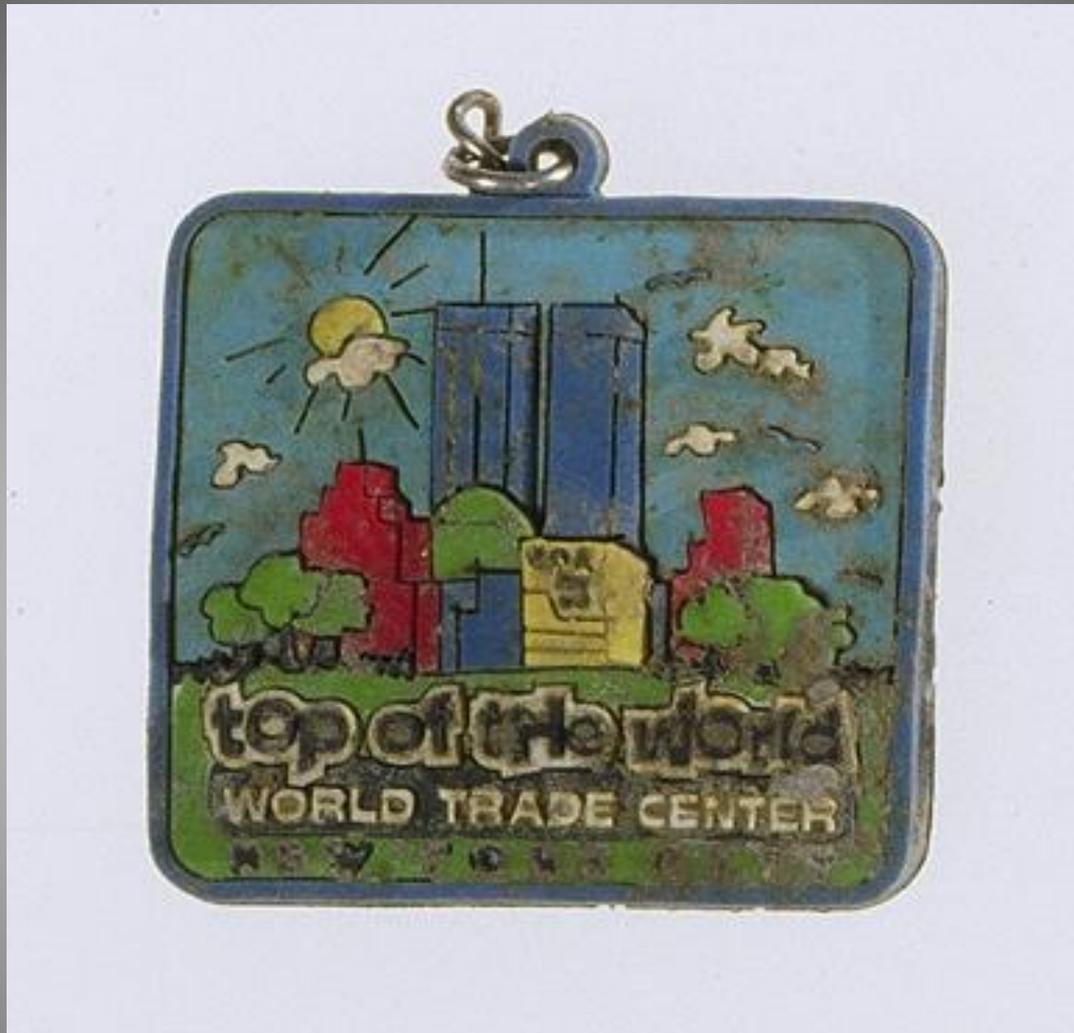


Top of the World  
Baseball, Recovered,  
WTC Site

September 11, 2001



September 11, 2001



WTC Souvenir  
Collection, New  
York State Museum

September 11, 2001





BMW Steering wheel, Collection, New York State Museum

September 11, 2001



WTC Souvenir, Collection, New York State Museum

September 11, 2001



Telephone handset, Collection, New York State Museum

September 11, 2001



WTC Memorial, Broadway at Liberty St, Collection, New York State Museum

September 11, 2001



US Flag, Recovered at Ground Zero, Collection, New York State Museum

September 11, 2001



Lisa Frost, killed on 9/11, Flight 175, United Mileage Card recovered, Collection New York State Museum

September 11, 2001



Missing Posters, Collection, New York State Museum

# September 11, 2001



September 11, 2001



September 11, 2001



*“THERE COMES A TIME WHEN ONE MUST TAKE A POSITION THAT IS NEITHER SAFE, NOR POLITIC, NOR POPULAR, BUT ‘WE’ MUST TAKE IT BECAUSE CONSCIENCE TELLS ‘US’ IT IS RIGHT.” ~ Dr. Martin Luther King, Jr.*





## ATTACHMENT II

# Board of Regents ESSA Mission

The mission of the New York State Board of Regents is to ensure that **every child** has **equitable access** to the highest quality educational opportunities, services and supports in schools that provide **highly effective instruction** aligned to the state's standards, as well as **positive learning environments** so that each child is **prepared** for success in **college, career, and citizenship**.



# New York's Voices, New York's Plan: *Stakeholder Feedback on Draft Plan*



## Public Hearings

- **13 public hearings statewide:** Long Island, Staten Island, Bronx, Manhattan, Syracuse, Rochester, Plattsburgh, Yonkers, Brooklyn, Buffalo, Queens, Binghamton, Albany
- **ESSA Think Tank meeting on June 14**
- **270+ speakers**



## Written Comments

- **800+ comments submitted** via email and postal mail
- **Half of those comments came from three form letter campaigns**

## Consultation Activities

- ESSA Think Tank
- Title I Committee of Practitioners
- ESSA Winter Regional Meetings
- ESSA Spring Regional Meetings

## Work with National Experts

- Linda Darling-Hammond, Learning Policy Institute
- Scott Marion, National Center for Improvement of Educational Assessment
- CCSSO, Brustein & Manasevit

## Consultation with Governor's Office and Legislature



## *Board of Regents Discussions on ESSA Plan Development, October 2016 – September 2017*

- 1. October 2016:** Every Student Succeeds Act (ESSA) State Plan Development Activities
- 2. November 2016:** Development of New York's Every Student Succeeds Act State Plan and ESSA State Plan High Concept Ideas
- 3. December 2016:** Development of New York's Every Student Succeeds Act (ESSA) State Plan
- 4. January 2017:** Development of the New York State Every Student Succeeds Act Plan and ESSA State Plan High Concept Ideas and Proposed "High Concept Idea" Summaries -- Supports and Improvements for Schools 12/01/2016 and Survey of School Quality and Student Success Indicators
- 5. March 2017:** ESSA Public Retreat



## *Board of Regents Discussions on ESSA Plan Development, October 2016 – September 2017*

6. **April 2017:** April 4 Board of Regents Meeting on ESSA
7. **May 2017:** Overview of New York's Draft Every Student Succeeds Act Plan
8. **June 2017:** Feedback from Every Student Succeeds Act (ESSA) Public Hearings and an Update on the Next Generation Learning Standards
9. **July 2017:** Proposed Changes Final Draft Plan - Commissioner's Presentation to the Board, State Dashboards, Next Generation Assessment Systems, and Social, Emotional, Health, Mental Health, and Attendance Issues, and Stakeholder Feedback Analysis
10. **September 2017:** Proposed ESSA Plan For Submission to USDE

# Submission of Waivers Related to the State's ESSA Plan

At the same time the ESSA plan is submitted to the USDE, the Department recommends that the Board of Regents direct the Department to submit requests for waivers to the ESSA statute in three areas:

1. Double testing for high achieving middle school students enrolled in High School courses
2. ELA Testing for Second Year English Language/Multilingual Learners
3. Off Grade Testing for Students with Disabilities

# Waiver—Eliminate Double Testing for High Achieving Middle School Students Enrolled in High School Courses

## What waiver requests:

- Allow schools with Grade 7 students taking high school math courses and Grade 8 students taking high school science courses to be exempt from taking the associated grade level assessments in math and science. Regents results are used for accountability purposes.

## Justification

- Currently allowed in Commissioner's Regulations 100.18(14)(v)

# Waiver—ELA Testing for Second Year English language learners/Multilingual Learners (ELL/MLL)

## What waiver requests:

- Allows the state to not have to include in school accountability determinations the first administration of an ELA examination to newly arrived students and to use student's growth between the first two ELA test administration's for accountability purposes.

## Justification

- A school will have four years instead of just two years before becoming accountable for demonstrating the proficiency of newly arrived ELLs/MLLs on a language arts administered in English.
- Waiver request consistent with NYS Education Law 305(48)

# Waiver—Off-Grade Testing for Students with Disabilities

## What waiver requests:

- Allow selected group of students with disabilities who have significant cognitive and intellectual disabilities that preclude their meaningful participation in chronological grade-level instruction to take grades 3-8 assessments up to two levels below their grade-level.

## Justification

- Consistent with ESSA provisions allowing off-grade testing through computer adaptive tests
- Waiver request consistent with NYS Education Law 305(48)

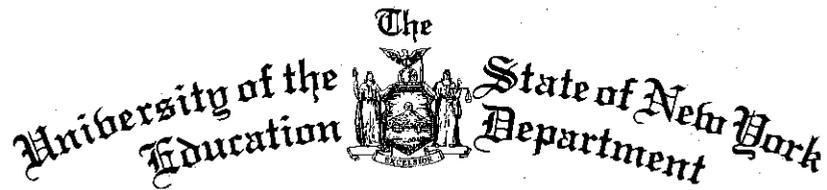
# Submission of Waivers Related to the State's ESSA Plan

- ✓ Each of these waivers has been referenced within the State's draft ESSA plan and discussed at length by the Board of Regents and with stakeholders across the state.
- ✓ The Department issued a press release regarding the public comment period on August 25, 2017. Subsequently, the notice was posted on the Department's social media accounts and website, distributed to members of the state's Title I Committee of Practitioners and the ESSA Think Tank, as well as disseminated to the field to superintendents and principals through the Senior Deputy Commissioner's e-mail newsletter. The public comment period ended on Friday, September 8.
- ✓ Twenty-five comments were received. In general, the comments are in support of the waivers including feedback from statewide stakeholders such as NYSCOSS, NYSSBA, and NYSPTA. However, there were six comments from special education advocacy groups opposed to the waiver related to testing students with the most significant cognitive disabilities.

# Next Steps: ESSA Plan Submission

Activity	Date
Deadline to submit ESSA State Plan to USDE	September 18, 2017
USDE provides formal feedback on the plan to NYSED	Estimated: December 2017
Final Approval of New York's ESSA Plan by USDE	Estimated: January/February 2018

# ATTACHMENT III



Be it Known that

**Christopher Albrecht**

is hereby proclaimed

**New York State Teacher of the Year  
for 2018**

**Betty A. Rosa**  
*Chancellor*

*New York State Board of Regents*

**T. Andrew Brown**  
*Vice Chancellor*

*New York State Board of Regents*

**Wade S. Norwood**  
*Member*

*New York State Board of Regents*

**MaryEllen Elia**  
*Commissioner of Education*

*and President of the University of the State of New York*



In Recognition of

**Mary Howard**

As a Finalist for

**New York State Teacher of the Year  
for 2018**

**Betty A. Rosa**  
*Chancellor*  
*New York State Board of Regents*

**Catherine Collins**  
*Member*  
*New York State Board of Regents*

**MaryEllen Elia**  
*Commissioner of Education*  
*and President of the University of the State of New York*

The  
University of the State of New York  
Education Department



In Recognition of

**Rosa Ismail**

As a Finalist for

**New York State Teacher of the Year  
for 2018**

**Betty A. Rosa**  
Chancellor  
New York State Board of Regents

**Roger Tilles**  
Member  
New York State Board of Regents

**MaryEllen Elia**  
Commissioner of Education  
and President of the University of the State of New York

The  
University of the State of New York  
Education Department

In Recognition of

Christina Pawlowski

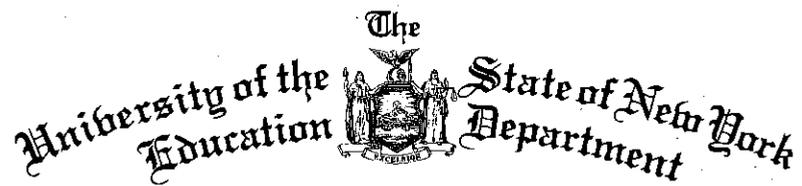
As a Finalist for

New York State Teacher of the Year  
for 2018

Betty A. Rosa  
Chancellor  
New York State Board of Regents

Roger Tilles  
Member  
New York State Board of Regents

MaryEllen Elia  
Commissioner of Education  
and President of the University of the State of New York



In Recognition of

**Brian Sztabnik**

As a Finalist for

**New York State Teacher of the Year  
for 2018**

**Betty A. Rosa**  
*Chancellor*  
*New York State Board of Regents*

**Roger Tilles**  
*Member*  
*New York State Board of Regents*

**MaryEllen Elia**  
*Commissioner of Education*  
*and President of the University of the State of New York*