



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 January 2019 Meeting
DATE: January 31, 2019
AUTHORIZATION(S): *MaryEllen Ecia*

EXECUTIVE SUMMARY

Issue for Decision

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

Proposed Handling

Approval of the Summary of January 2019 meetings.

Procedural History

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

Recommendation

Approval of the Summary of the January 2019 meetings.

Timetable for Implementation

Effective February 11, 2019.

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



SUMMARY OF THE JANUARY 2019 MEETING

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

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

January 14 and 15, 2019

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

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session on Monday, January 14, 2019 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, January 14th at 9:00 a.m.

Board Members in Attendance:

Betty A. Rosa, *Chancellor*
Roger Tilles
Lester W. Young, Jr.
Christine D. Cea
James E. Cottrell
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Judith Johnson
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Deputy Counsel for Legal Affairs, Shannon L. Tahoe, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor T. Andrew Brown and Regents Wade S. Norwood and Kathleen M. Cashin were absent and excused.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, January 15th at 10:10 a.m. to discuss current litigation matters.

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

Regent Christine D. Cea provided words of reflection to open the meeting.

PRESENTATION

Culturally Responsive-Sustaining Education in New York State

Angélica Infante-Green and John D’Agati, along with members from the Board of Regents-nominated Advisory Panel for the Culturally-responsive-sustaining (CR-S) Framework Dr. Stanley Harper, Superintendent of Schools, Salmon River Central School District, Dr. David Kirkland, Executive Director, NYU Metropolitan Center for Research on Equity and the Transformation of Schools Associate Professor, NYU, Dr. Fatima Morrell, Assistant Superintendent of Curriculum, Assessment and Instruction, Buffalo City School District, Dr. Joyce Moy, Executive Director, Asian American/Asian Research Institute, City University of New York, Dr. Roberto Padilla, Superintendent of Schools, Newburgh Enlarged City School District, Joe Rogers, Director of Public Engagement/Senior Researcher, Center for Educational Equity, Teachers College, Columbia University, and Gian Starr, Assistant Principal, Stissing Mountain Jr./Sr. High School, Pine Plains Central School District provided a presentation on Culturally Responsive-Sustaining Education in New York State (Attachment I) and reviewed the importance of creating such a framework and the steps that have been taken to date. Presenters reviewed the timeline, themes of collected feedback, the CR-S definition, and introductory pages of the CR-S framework (Attachment II).

RESOLUTION

Regent Judith Johnson introduced the resolve of the Board of Regents to reaffirm its commitment to continuing its efforts to ensure that all students have equitable access to learning opportunities in safe and supportive school environments free from discrimination, harassment and bias, including reducing dependence on exclusionary school discipline and increasing equity in education for all students.

Regent Nan Eileen Mead read the resolution into record as follows:

VOTED: That the Board of Regents adopts the following resolution (Attachment III):

WHEREAS, on December 18, 2018, the federal Commission on School Safety issued its final report, in which it recommended the rescission of various federal guidance documents and associated materials regarding racial discrimination in the administration of student disciplinary policies; and

WHEREAS, in a December 21, 2018 “Dear Colleague Letter” (“December 21, 2018 Letter”), the United States Department of Justice (“USDOJ”) and United States Department of Education (“USDOE”) withdrew “the statements of policy and guidance” contained in the following documents: “Dear Colleague Letter on Nondiscriminatory Administration of School Discipline” dated January 8, 2014 (“January 8, 2014 Letter”);

and “Overview of the Supportive School Discipline Initiative” dated January 8, 2014; and several related documents (collectively referred to as “the federal guidance documents”); and

WHEREAS, in the December 21, 2018 Letter, USDOJ and USDOE explained that “[t]he Departments have concluded that the Guidance and associated documents advance policy preferences and positions not required or contemplated by Title IV or Title VI”; and

WHEREAS, Title IV of the Civil Rights Act of 1964 (“Title IV”) prohibits discrimination in public elementary and secondary schools based on race, color, religion, sex or national origin; and Title VI of the Civil Rights Act of 1964 (“Title VI”) prohibits discrimination based on race, color, or national origin by recipients of federal financial assistance; and

WHEREAS, in the January 8, 2014 Letter, USDOJ and USDOE explained that the purpose of the federal guidance documents was to “help public elementary and secondary schools administer student discipline in a manner that does not discriminate on the basis of race” and to summarize “schools’ obligations to avoid and redress racial discrimination in the administration of student discipline; and”

WHEREAS, the January 8, 2014 Letter also provided “recommendations to assist schools in developing and implementing student discipline policies and practices equitably and in a manner consistent with their Federal civil rights obligations,” which included the following:

Develop and implement a comprehensive, school- and/or district-wide approach to classroom management and student behavior grounded in evidence-based educational practices that seeks to create a safe, inclusive, and positive educational environment.

Assist students in developing social and emotional competencies (e.g., self-management, resilience, self-awareness, responsible decision-making) that help them redirect their energy, avoid conflict, and refocus on learning.

Refer students with complex social, emotional, or behavioral needs for psychological testing and services, health services, or other educational services, where needed.

Involve students and student advocates in maintaining a safe, inclusive, and positive educational environment

through programs such as peer mediation and restorative justice, as appropriate.

WHEREAS, in addition to studies indicating that racial disparities in student discipline rates persist in New York State and nationally, research has also shown that students with disabilities and lesbian, gay, bisexual, transgender and questioning (“LGBTQ”) students are also at higher risk for suspension and expulsion and that suspension can be the first step in a series of events leading to lower student academic achievement, higher truancy rates, higher dropout rates, and higher rates of contact with the juvenile and adult justice systems; and

WHEREAS, research has also demonstrated that the use of exclusionary discipline (removing students from their learning environment) adversely impacts school climate overall, does not make students feel safer, and can have a negative effect on other students’ academic performance and achievement; and

WHEREAS, research has found that the quality of the school climate is one of the most critical predictive factors in any school’s capacity to promote student achievement; and

WHEREAS, research shows that exclusionary school discipline is not an effective way to manage student behavior and the American Psychological Association has concluded that zero-tolerance policies fail to make schools safer; and

WHEREAS, the Board of Regents is committed to ensuring that all students have the opportunity to learn and access programs and services in schools that foster a culture and climate and are safe havens for learning; where every student feels welcome and free from bias, harassment, discrimination, and bullying; and

WHEREAS, New York State’s federally-approved Every Student Succeeds Act (“ESSA”) plan is focused on providing our schools with the tools they need to give all students an education that meets the principles associated with educating the “whole child” and at its core, is intended to foster equity as well as positive and healthy school climates in New York State’s educational system; and

WHEREAS, New York State requires age-appropriate mental health instruction for students, focused on enhancing students’ understanding, attitudes, and behaviors toward well-being and human dignity, helping students identify risk and protective factors, as learning and resiliency can result in positive decision-making and life-long success; and

WHEREAS, with the support of the Legislature and the Governor at the request of the Board of Regents, the New York State Education Department has established a Safe and Supportive Schools program and Technical Assistance Center for schools determined to be in need of support to create positive school climates where every child feels safe and supportive and is treated with dignity and respect through the

implementation of positive school climate frameworks, including Social, Emotional Learning, Restorative Practices and Trauma-Sensitive Schools;

NOW THEREFORE, be it hereby resolved that the Board of Regents reaffirms its commitment to continuing its efforts to ensure that all students have equitable access to learning opportunities in safe and supportive school environments free from discrimination, harassment and bias, including reducing dependence on exclusionary school discipline and increasing equity in education for all students.

ⁱ The New York Equity Coalition. (2018) *Stolen Time: New York State's Suspension Crisis*. <https://s3-us-east-2.amazonaws.com/edtrustmain/wp-content/uploads/sites/5/2018/12/09090556/Stolen-Time.pdf>; Skiba, Arredondo & Rausch.

ⁱⁱ GLSEN. (2016). *Educational exclusion: Drop out, push out, and school-to-prison pipeline among LGBTQ youth*. New York: GLSEN <https://www.glsen.org/article/drop-out-push-out-school-prison-pipeline>

ⁱⁱⁱ Skiba, Arredondo & Rausch. (2014). *New and Developing Research on Disparities in Discipline*. http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/Disparity_NewResearch_Full_031214.pdf.

^{iv} Fabelo, T., M. D. Thompson, M. Plotkin, D. Carmichael, M.P. Marchbanks and E.A. Booth. (2011). *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*. New York: Council of State Governments Justice Center. <http://knowledgecenter.csg.org/kc/content/breaking-schools-rules-statewide-study>.

^v Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79–101; Arum, R., & Beattie, I. (1999). High school experiences and the risk of adult incarceration. *Criminology*, 37(3),515–540.

^{vi} Rosenbaum, J. (2018). *Educational and Criminal Justice Outcomes 12 Years After School Suspension*. Youth & Society. <https://doi.org/10.1177/0044118X17752208>

^{vii} Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79–101; Arum, R., & Beattie, I. (1999). High school experiences and the risk of adult incarceration. *Criminology*, 37(3),515–540.

^{viii} *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline Policies*. Cambridge, MA: Civil Rights Project, Harvard University; (2000). www.eric.ed.gov/ERICWebPortal/contentdelivery/servlet/ERICServlet?accno=ED454314.

^{ix}Shindler, J., Jones, A., Williams, A.D., Taylor, C., Cardenia, H. (2016). *The school climate-student achievement connection: If we want achievement gains, we need to begin by improving the climate*. Journal of School Administration Research and Development 1(1), 9-16.

^x American Psychological Association Zero Tolerance Task Force. (2008). *Are zero tolerance policies effective in schools? An evidentiary review and recommendations*. American Psychologist, 63(9), 852–862.

Motion by: Regent Christine D. Cea
Seconded by: Regent Beverly L. Ouder Kirk
Action: Motion carried unanimously.

Chancellor Betty A. Rosa adjourned the meeting.

MEETING OF THE FULL BOARD, Tuesday, January 15th at 10:45 a.m.

Board Members in Attendance:

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Deputy Counsel for Legal Affairs, Shannon L. Tahoe, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor T. Andrew Brown and Regent Kathleen M. Cashin were absent and excused.

ACKNOWLEDGEMENTS

Chancellor Rosa took a moment acknowledge students and staff from Equity Charter School, Bronx, NY, who were in attendance.

Regent Lester W. Young, Jr. provided words of reflection commemorating Martin Luther King, Jr. on his actual birthday. Regent Young also introduced video of the Aspen Institute Presentation by Senegal Mabry.

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 December 2018 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the December 2018 Meeting of the Board of Regents of The University of the State of New York be approved.

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

PROGRAM AREA CONSENT ITEMS

Higher Education

**Application for Surrender of Degree-Conferring Authority: Briarcliffe College
BR (CA) 1**

MOVED, that, pursuant to §3.58(g)(2) of the Rules of the Board of Regents, the Board of Regents accepts the request from Briarcliffe College to surrender in whole its degree-conferring authority.

**Conferral of Degrees: Dowling College
BR (CA) 2**

MOVED, that the Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at Dowling College, the respective degree as listed below.

Dowling College

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

Master of Science (M.S.)
Huszagh, Peter Gordon

Bachelor of Business Administration (B.B.A.)
Rutledge, Marc Daniel

**Mercy College, Bronx Campus: Master Plan Amendment to offer a Bachelor of
Science (B.S.) Degree Program in Health Science
BR (CA) 3**

MOVED, that the Board of Regents approve a master plan amendment to authorize Mercy College to offer its first bachelor’s-level program in the Health Professions discipline area at the Bronx Campus, a Bachelor of Science (B.S.) in Health Science. The amendment will be effective until January 15, 2020, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

**Nyack College: Master Plan Amendment for Relocation of the Main Campus in Nyack, NY to New York, NY
BR (CA) 4**

MOVED, that the Board of Regents approve a master plan amendment to authorize Nyack College to relocate its main campus in Nyack, NY, to 2 Washington Street in New York, NY.

**Permission to Operate: University of Connecticut School of Law
BR (CA) 5**

MOVED, that the Board of Regents grant the University of Connecticut School of Law permission to offer courses applicable to its Juris Doctorate (J.D.) and Legal Studies Master of Laws (L.L.M.) programs in New York City (collectively called “Semester in New York City Program”), effective January 15, 2019 and ending on January 30, 2024.

**Proposed Amendments to Sections 52.21 and 80-3.10 of the Regulations of the Commissioner of Education Relating to the Pilot P-20 Partnerships for Principal Preparation Program
BR (CA) 6**

MOVED, that §§52.21 and 80-3.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 30, 2019.

**Proposed Amendments to Section 80-3.7 of the Regulations of the Commissioner of Education Relating to the Initial Certificate Requirements for Individuals Who Have a Graduate Degree and Two Years of Postsecondary Teaching Experience in the Area of the Certificate Sought or a Closely Related Area
BR (CA) 7**

MOVED, that §80-3.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 30, 2019.

P-12 Education

**Proposed Addition of Section 114.5 to the Regulations of the Commissioner Relating to the Prohibition Against Meal Shaming
BR (CA) 8**

MOVED, that a new §114.5 of the Regulations of the Commissioner of Education be added, as submitted, effective January 30, 2019.

**Proposed Amendment to Section 114.1 of the Regulations of the Commissioner of Education Relating to School Breakfast Programs
BR (CA) 9**

MOVED, that §114.1 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 30, 2019.

**Registration of Religious and Independent High Schools Visited in 2018-2019
BR (CA) 10**

MOVED, that the following schools, which participated in the 2018-19 nonpublic high school registration program, be registered:

School	County	Recommended Status
New Life Christian School	Erie	Registered
Tilton School	Oneida	Registered

**Proposed Amendment to Section 154-2.3(i) of the Regulations of the Commissioner of Education to Authorize School Districts Enrolling Fewer Than 30 English Language Learners to Apply for a One Year Renewable Waiver to Expand the Maximum Allowable Grade Span for English As a New Language and Bilingual Education Classes from Two to Three Contiguous Grades
BR (CA) 14**

MOVED, that subdivision (i) of section 154-2.3 of Commissioner's Regulations be amended, effective February 4, 2019, in order to alleviate the difficulty that districts with fewer than 30 English Language Learners may have in meeting the requirement that bilingual education and English as a New Language classes limit enrollment to a maximum of two contiguous grades, by allowing such districts to apply for a waiver on an annual basis to expand the maximum allowable grade span to three contiguous grades beginning in the 2018-2019 school year and to ensure that the emergency rule adopted at the November 2018 meeting remains continuously in effect until it can be adopted as a permanent rule.

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) 11**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 12**

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

**Designation of Professional Conduct Officer
BR (CA) 13**

MOVED, that the Board of Regents designate Douglas E. Lentivech as professional conduct officer.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent Catherine Collins
Seconded by: Regent Susan W. Mittler
Action: Motion carried unanimously. Regent Roger Tilles recused himself from the vote for Briarcliffe College – BR (CA) 1.

STANDING COMMITTEE REPORTS

AUDITS/BUDGET AND FINANCE

Your Committee on Audits/Budget and Finance had its scheduled meeting on January 14, 2019. Regent Josephine Finn, Chair of the Audits/Budget and Finance Committee submitted the following written report. In attendance were committee members: Regent Finn, Chair, Regents Collins, Cottrell, Hakanson, Mead, Ouderkirk, Tilles and Young.

Regents, in addition to Audits/Budget Committee Members, in attendance were: Chancellor Rosa and Regent Reyes as well as, Commissioner Elia and Executive Deputy Commissioner Berlin.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Finn welcomed everyone. She introduced Sharon Cates-Williams, Deputy Commissioner, to present the Board of Regents Oversight of Financial Accountability Report and then Phyllis Morris, Chief Financial Officer, to present the December 2018 Fiscal Report.

KPMG Audit Partner Marie Zimmerman also gave a presentation to the Board of Regents providing an overview of the 2017-2018 NYS Single Audit findings. The single audit examined 23 major federal programs statewide, three of which are administered by the Department; Vocational Rehabilitation, School Improvement Grants, and English Acquisition State Grants. The Department has seven reported findings related to strengthening internal control processes, updating policy and procedures, and ensuring monitoring performed is documented. The overview was followed by general questions and answers.

Completed Audits

This month the Board is being presented with 15 audits, one was issued by the New York City Office of the Comptroller, and 14 audits were issued by the NYS Office of the State Comptroller. Nine audits were of school districts, one of charter schools, two of providers of special education services, one of a community college, one of the New York City Department of Education, and one of the State Education Department (Department). Findings were in the areas of, claims processing, financial reporting, information technology, payroll/leave accruals, procurement, and reimbursable cost manual compliance. Deputy Commissioner, Sharon Cates-Williams, gave a brief overview of the completed audits and answered general questions.

2018 Fiscal Report

The Chief Financial Officer provided the Members with the December fiscal report that reflects actual expenditures through December 31, 2018 and projected expenditures through the lapse period ending June 30, 2019. Extensive spending controls continue for all funds. General Fund spending plans reflect the amounts appropriated in the 2018-19 enacted budget. General Fund accounts are in structural balance. Special Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is projected to end the fiscal year a negative \$2.2 million. Federal Funds reflect current year plans for two-year grant awards.

CULTURAL EDUCATION

Your Committee on Cultural Education had its scheduled meeting on January 14, 2019. Regent Roger Tilles and Regent Judith Johnson, Co-Chairs of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Co-Chair, Regent Johnson, Co-Chair, Regent Cea, Regent Cottrell, Regent Ouderkirk and Regent Mead.

Regents, in addition to Cultural Education Committee members, in attendance were: Chancellor Rosa, Regent Cashin, Regent Finn, Regent Hakanson, Regent Reyes, and Regent Mittler. Also in attendance were Commissioner Elia, Executive Deputy

Commissioner Berlin, Senior Deputy Commissioner for Educational Policy Jhone Ebert, and Counsel Shannon Tahoe.

ITEMS FOR DISCUSSION

Co-Chairs Regent Tilles and Regent Johnson welcomed everyone. Regent Tilles informed the Committee that the Museum Education Act, a Regents legislative priority, was vetoed by the Governor last month. The primary reason cited in the veto message was that the bill should be addressed within the context of the budget. The legislation did not include the \$5 million in funding that was requested in the Regents' legislative priorities. Deputy Commissioner Schaming provided a brief report on Office of Cultural Education news and activities:

- This past Saturday, January 12, the State Museum hosted its annual “New York State Great Places and Spaces” program. The State Library and Archives, in addition to over a dozen State historic sites and cultural organizations, provided visitors educational hands-on activities and artifacts to explore.
- In December the fourth episode of “A New York Minute in History” podcast was released. The episode, which explores the Dutch history of New York, is led by State Historian Devin Lander and features interviews from Charly Gehring of the New Netherland Institute, historian Russell Shorto, and the Consul General of the Netherlands.

State Aid for Library Construction Update [CE (D) 1]

Mary Anne Waltz and Frank Rees from the State Library's Division of Library Development presented an update on the State Aid for Library Construction program, which has supported over 2,200 public library construction and renovation projects since its inception. In FY 2018-2019, the state budget provided \$34 million in capital funds to support State Aid for Library Construction. Funds may support up to 75 percent of approved project costs for broadband installation or construction, renovation, rehabilitation, or site acquisition of public libraries and public library system headquarters.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on January 14, 2019. All members were present, with the exception of Regents Norwood and Brown.

Action Items

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Higher Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in

the written report of the Committee's deliberations at its meeting on January 14, 2019, copies of which have been distributed to each member of the Board of Regents.

Matters Not Requiring Board Action:

Proposed Amendment to §80-5.25 Related to the Transitional H Pathway for School District Business Leader Certification

Your Committee discussed proposed amendments to Section 80-5.25 of the Regulations of the Commissioner of Education to expand the type of eligible experiences for the Transitional H pathway for School District Business Leader certification. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its May 2019 meeting. If adopted at the May 2019 meeting, the proposed amendment will become effective on May 22, 2019. HE (D) 3

Proposed Amendments to Sections 52.21, 57-2, 75.8, 80-1, 80-2, 80-3, 80-5, 80-6, 90.18, 100.2, 100.13, 100.15, 100.17, 100.19, 151-1, 154-2, and 200.2 of the Regulations of the Commissioner of Education and 30-1, 30-2, and 30-3 of the Rules of the Board of Regents Relating to Professional Development Plans and Other Related Requirements for School Districts and BOCES

Your Committee discussed whether the Board should adopted adopt proposed amendments to Sections 52.21, 57-2, 75.8, 80-1, 80-2, 80-3, 80-5, 80-6, 90.18, 100.2, 100.13, 100.15, 100.17, 100.19, 151-1, 154-2, and 200.2 of the Regulations of the Commissioner of Education and 30-1, 30-2, and 30-3 of the Rules of the Board of Regents relating to professional development plans and other related requirements for school districts and BOCES. Following the 30-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendments will be presented to the Board of Regents for adoption at its April 2019 meeting. If adopted at the April 2019 meeting, the proposed amendments will become effective on April 24, 2019. HE (D) 2

Update to the Board of Regents Regarding Provisionally Authorized Institutions of Higher Education: New York Automotive and Diesel Institute; Glasgow Caledonian New York College; and City Seminary of New York Graduate Center

Your Committee received an update on the first year of operation of the three new degree-granting institutions that received provisional authorization from the Board in 2017. HE (D) 4

An Update on St. Paul's School of Nursing's Provisional Degree-Granting Authority

Your Committee was provided with an update on the Queens and Staten Island campuses of St. Paul's School of Nursing since the December 12, 2017 extension of its provisional degree-granting authority lasts through December 31, 2019. HE (D) 1

Matters Requiring Board Action:

Proposed Amendments to Section 80-5.4 of the Regulations of the Commissioner of Education Relating to the Employment of Substitute Teachers Who Do Not Hold a Valid Teaching Certificate

Your Committee discussed whether to adopt proposed amendments to §80-5.4 of the Regulations of the Commissioner of Education relating to the employment of substitute teachers who do not hold a valid teaching certificate, to ensure that school districts and BOCES continue to be provided with the flexibility needed to address their hiring needs and employ substitute teachers who demonstrate competency in the classroom for more than 40 days. The Committee made a motion to amend Higher Education item HE(A)-1 REVISED to amend Section 80-5.4 of the Regulations of the Commissioner of Education to require all substitute teachers to have at least an associate's degree, except for substitute teachers without a valid teaching certificate, but who are completing collegiate study toward certification at the rate of not less than six semester hours per year. The Committee directed Department staff to bring the revised item to the Full Board for adoption as an emergency rule effective February 4, 2019. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its May 2019 meeting. If adopted at the May 2019 meeting, the proposed amendment will become effective on May 22, 2019. HE (A)-1 REVISED

Consent Agenda

The Board of Regents acted on the following consent agenda items at the January 2019 meeting.

- **Proposed Amendments to §80-3.7 of the Commissioner's Regulations Related to Initial Certificate Requirements for Individuals Who Have a Graduate Degree and Two Years of Postsecondary Teaching Experience in the Area of the Certificate Sought or a Closely Related Area (Adoption)** - The Board of Regents voted that Section 80-3.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 30, 2019. BR (CA) 7
- **Proposed Amendments to §52.21 and 80-3.10 of the Commissioner's Regulations Related to the Pilot P-20 Partnerships for Principal Preparation Programs (Permanent Adoption)** - The Board of Regents voted to amend, as submitted, Sections 52.21 and 80-3.10 of the Regulations of the Commissioner of Education effective January 30, 2019. BR (CA) 6
- **Master Plan Amendment: Nyack College - Relocation of Main Campus to NYC** - The Board of Regents voted to approve a master plan amendment to authorize

Nyack College to relocate its main campus in Nyack, NY, to 2 Washington Street in New York, NY. BR (CA) 4

- **Master Plan Amendment: Mercy College - Offer a Bachelor of Science degree Program in Health Science** - That the Board of Regents voted to approve a master plan amendment to authorize Mercy College to offer its first bachelor's-level program in the Health Professions discipline area at the Bronx Campus, a Bachelor of Science (B.S.) in Health Science. The amendment will be effective until January 15, 2020, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term. BR (CA) 3
- **Application to Surrender Degree - Conferring Authority: Briarcliffe College** - The Board of Regents voted, pursuant to Section 3.58(g)(2) of the Rules of the Board of Regents, to accept the request from Briarcliffe College to surrender in whole its degree-conferring authority. BR (CA) 1
- **Permission to Operate in NYS: University of Connecticut** - The Board of Regents voted to grant the University of Connecticut School of Law permission to offer courses applicable to its Juris Doctorate (J.D.) and Legal Studies Master of Laws (L.L.M.) programs in New York City (collectively called "Semester in New York City Program"), effective January 15, 2019 and ending on January 30, 2024. BR (CA) 5
- **Conferral of Degrees: Dowling College** - The Board of Regents approved the conferral of the respective degrees upon listed individuals who have completed the requirements for registered degree programs at Dowling College. BR (CA) 2

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on January 14, 2019. All members were present, except for Vice Chancellor Brown, Regent Cashin, and Regent Norwood.

ACTION ITEMS

Assessments and Student Official Transcripts and Permanent Records [P-12 (A) 1]

Your Committee recommends that §104.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 15, 2019, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to continue the effectiveness of Chapter Part AA, Subpart B of Chapter 56 of the Laws of 2014 as amended by Section 35 of Part CCC of Chapter 59 of the Laws of 2018. The vote passed unanimously.

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 January 15, 2019, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Senior Deputy Commissioner Update - Senior Deputy Commissioner Jhone Ebert updated the Committee on next steps in implementing the updated accountability system under the Every Student Succeeds Act (ESSA).

Student Data Privacy [P-12 (D) 1] – the Committee discussed proposed regulations to implement Education Law §2-d relating to protecting personally identifiable information. The proposed regulations were developed with input from stakeholders and the public and include, but are not limited to: 1) clarification of the data security and privacy obligations of educational agencies and third-party contractors; 2) establishment of requirements for contracts and other written agreements where personally identifiable information will be provided to a third-party contractor and also attempts to clarify obligations where click-through agreements for software applications are utilized; and 3) establishment of the National Institute of Standards and Technology (NIST) Cybersecurity Framework as the standard for educational agencies data security and privacy programs. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the May 2019 meeting.

Consent Agenda

The Board of Regents will take action on the following consent agenda items at their January 15, 2019 meeting.

- Regulations relating to School Breakfast Programs.
- Regulations relating to the Prohibition Against Meal Shaming.
- Registration of Religious and Independent High Schools.
- Regulations relating to the Application of a One Year Renewable Waiver to Expand the Maximum Allowable Grade Span for English As a New Language and Bilingual Education Classes.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on January 15, 2019. All members were present, Regent Roger Tilles 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 3 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 40 consent order applications and 12 surrender applications be granted.

These recommendations are made following the review of 55 cases involving seventeen registered professional nurses, nine licensed practical nurses, five licensed practical nurses who are also registered professional nurses, three pharmacists, two certified public accountants, two clinical laboratory technologists, two professional engineers, one dental hygienist, one dentist, one land surveyor, one licensed clinical social worker, one licensed master social worker, one pharmacy, one registered professional nurse who is also a nurse practitioner (Adult Health), and one respiratory therapy technician who is also a respiratory therapist.

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 January 15, 2019, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed several topics of interest, including:

- Deputy Commissioner's Report/Update
- Full Board Consent Agenda Items
- Board (Re)Appointments
- Licensing Petitions
- Designation of Professional Conduct Officer

Proposed Amendment to §63.4 and §63.9 of the Regulations of the Commissioner of Education Relating to Administration of Vaccinations by Pharmacy Interns (Emergency Action)

A presentation on the proposed amendment to implement Chapter 359 of the Laws of 2018. Effective December 7, 2018, Chapter 359 amended the Education Law to permit pharmacy interns to administer vaccinations, if certain specified requirements are met, including, but not limited to, the requirement that all such vaccinations be administered under the

immediate personal supervision of a licensed pharmacist who is certified to administer vaccinations.

MOVED, that the Committee Reports be approved.

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

**Proposed Amendments to Section 80-5.4 of the Regulations of the Commissioner of Education Relating to the Employment of Substitute Teachers Who Do Not Hold a Valid Teaching Certificate
BR (A) 4**

At their January 14th meeting, the Higher Education Committee voted to amend the item **Proposed Amendments to Section 80-5.4 of the Regulations of the Commissioner of Education Relating to the Employment of Substitute Teachers Who Do Not Hold a Valid Teaching Certificate - HE(A) 1 REVISED** to amend Section 80-5.4 of the Regulations of the Commissioner of Education to require all substitute teachers to have at least an associate's degree, except for substitute teachers without a valid teaching certificate, but who are completing collegiate study toward certification at the rate of not less than six semester hours per year. The Committee directed Department staff to bring the revised item to the Full Board for adoption as an emergency rule effective February 4, 2019.

The revised item (BR (A) 4) was presented to the Full Board.

MOVED, that the item (BR (A) 4) be tabled pending further discussion.

Motion by: Regent Beverly L. Ouderkirk
Seconded by: Regent Roger Tilles
Action: Motion carried unanimously.

**State Education Department December 2018 Fiscal Report
BR (A) 3**

MOVED, that the Board accepts the December 2018 State Education Department Fiscal Report as presented.

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

Chancellor Rosa adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Annie Porter Ainsworth Memorial Library	CE	Oswego (Sandy Creek)	Amend charter to: <ul style="list-style-type: none"> • Specify the trustee range to be not less than five nor more than fifteen; • designate the library's service area to be coterminous with the Town of Sandy Creek; • designate Commissioner as agent for service; and • update IRS dissolution language.
Gates Historical Society	CE	Monroe (Rochester)	Extend provisional charter for five years.
The German-American Cultural Council	CE	Nassau (Franklin Square)	Extend provisional charter for five years.
Greater Astoria Historical Society	CE	Queens (Astoria)	Consent to filing of certificate of assumed name "AQ Spectra".
Historical Society of Islip Hamlet	CE	Suffolk (Islip)	Extend provisional charter for five years.
Lyme Free Library	CE	Jefferson (Chaumont)	Amend charter to: <ul style="list-style-type: none"> • Specify the trustee range to be not less than seven nor more than thirteen; • designate the library's service area to be coterminous with the Town of Lyme; • designate Commissioner as agent for service; and • update IRS dissolution language.
Orleans County Genealogical Society	CE	Orleans (Albion)	Dissolve Regents certificate of incorporation and approval to distribute remaining assets to Orleans County Department of History.
Point Lookout Historical Society	CE	Nassau (Point Lookout)	Amend charter to change corporate address and extend provisional charter for five years.
Stirling Historical Society	CE	Suffolk (Greenport)	Amend charter to change the corporate name to "Stirling Historical Society of Greenport".

Taylor Historical Society	CE	Cortland (Cinncinnatus)	Extend provisional charter for five years.
Town of North Collins Public Library	CE	Erie (North Collins)	Merge with The North Collins Library Association with Town of North Collins Public Library as the surviving corporation.
Victor D'Amico Institute of Art	CE	Suffolk (Amagansett)	Consent to filing of certificate of assumed name "The Art Barge".
Wolcott Public Library	CE	Wayne (Wolcott)	Amend charter to specify the trustee term length to be three years and to update the IRS dissolution language.
Holy Angels Academy	P12	Erie (Buffalo)	Dissolve charter and approval to store student records with D'Youville College, 320 Porter Ave, Buffalo, NY 14201 and approval to distribute remaining assets to Grey Nuns of the Sacred Heart, NYS Dept. of Labor and Bond, Schoeneck & King, PLLC for legal fees.
Immaculata Academy	P12	Erie (Hamburg)	Dissolve charter and approval to store student records with Dept. of Education of the Diocese of Buffalo, 795 Main Street, Buffalo, NY 14203 and approval to distribute remaining assets to Franciscan Sisters of St. Joseph, Inc. (FSSJ).
Immaculate Conception School of Allegany County	P12	Allegany (Wellsville)	Extend provisional charter for three years.
Our Lady of Good Success	P12	Suffolk (Farmingville)	Dissolve charter and approval to store student records with St. Michael the Archangel Association Inc., 900 Horseblock Rd., Farmingville, NY 11738 and approval to distribute remaining assets to St. Michael the Archangel Association Inc.
St. Demetrios Greek-American School	P12	Queens (Astoria)	Grant an absolute charter in the first instance.
Albert Einstein College of Medicine	HE/OP	Bronx (Bronx)	Grant an absolute charter.

College Entrance Examination Board	HE	New York (New York)	Amend charter to change the corporate name to "College Board".
Nyack College	HE	Rockland (South Nyack)	Amend charter to relocate the main campus address to 2 Washington Street, New York, NY 10004.
Phi Beta Kappa Foundation	HE	New York (New York)	Amend charter to update the corporate address to be 1606 New Hampshire Ave., NW. Washington, DC 20009 and to designate the Commissioner as agent for service.

Appendix II

REGENTS ACTIONS IN 55 PROFESSIONAL DISCIPLINE CASES

January 14 - 15, 2019

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 12 licenses and 42 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

I. REVOCATION AND SURRENDERS

Engineering, Land Surveying and Geology

James Robert Watson; Land Surveyor; Ortle Beach, NJ 08751; Lic. No. 050196; Cal. No. 30916; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to obtain the required corner marker waiver and/or set the corner markers in connection with surveys; failing to properly stake-out the location of a foundation on a property; failing to properly show corner markers, both found or set, on the surveys; and failing to show the dimensions between the foundation and property lines on the property.

Nursing

Carolyn Silverthorn; Licensed Practical Nurse, Registered Professional Nurse; Ladson, SC 29456; Lic. Nos. 271843, 545060; Cal. Nos. 30783, 30784; Application to surrender licenses granted. Summary: Licensee admitted to the charge of being impaired while practicing the profession of nursing and being an alcoholic.

Margo Yvonne Clark; Licensed Practical Nurse; Elmira, NY 14904; Lic. No. 308924; Cal. No. 30397; Found guilty of having been convicted of Petit Larceny, a class A misdemeanor; Penalty: Revocation.

Debra Sue Faucher; Registered Professional Nurse; Bradford, PA 16701-2459; Lic. No. 338175; Cal. No. 30832; Application to surrender license granted. Summary: Licensee did not contest the charge of having a Pennsylvania conviction.

John Brian Lester; Registered Professional Nurse; North Las Vegas, NV 89031-0181; Lic. No. 572001; Cal. No. 30857; Application to surrender license granted. Summary: Licensee did not contest the charge of being a habitual user of the controlled substance amphetamine while working as a registered nurse in the State of Texas.

Victoria Chinyere Dimkpa a/k/a Victoria Chinyere Dimpka; Registered Professional Nurse; Richmond, TX 77407; Lic. No. 556940; Cal. No. 30859; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Engaging in Organized Criminal Activity in the State of Texas, a felony in the 1st Degree which in New York would constitute Enterprise Corruption, a class B felony.

Scott O'Conner; Registered Professional Nurse; Manteca, CA 95337-6066; Lic. No. 610809; Cal. No. 30877; Application to surrender license granted. Summary: Licensee did not contest the charge of California discipline.

Jaime Cuartas; Licensed Practical Nurse; Newport, VT 05855; Lic. No. 281889; Cal. No. 30957; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Falsifying Business Records in the 1st Degree, a class E felony; and, Criminal Possession of a Controlled Substance in the 7th Degree, a class A misdemeanor.

Michael Robert Vincelette; Registered Professional Nurse; Ogdensburg, NY 13669; Lic. No. 457037; Cal. No. 30983; Application to surrender license granted. Summary: Licensee admitted to charges of conduct in the practice which evidences moral unfitness to practice and Forcible Touching.

Kanta Bist; Licensed Practical Nurse; Elmont, NY 11003; Lic. No. 184210; Cal. No. 31033; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to maintain accurate patient records.

Pharmacy

Stephen W. Kalinoski; Pharmacist; Middletown, NJ 07748; Lic. No. 037405; Cal. No. 31006; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Wire Fraud, a felony.

Public Accountancy

Ha Ming Ong; Certified Public Accountant; White Plains, NY 10605; Lic. No. 100769; Cal. No. 30960; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to complete required continuing education credits.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Clinical Laboratory Technology

Jamila Akter; Clinical Laboratory Technologist; Queens Village, NY 11427; Lic. No. 014045; Cal. No. 29668; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Aaron Lim; Clinical Laboratory Technologist; Brooklyn, NY 11223-2637; Lic. No. 008433; Cal. No. 30651; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of not less than 2 years and until fit to practice, upon termination of suspension, 5 years probation to commence upon actual return to practice, \$5,000 fine.

Dentistry

Russell George Edman; Dentist; Pine Plains, NY 12567-0178; Lic. No. 042542; Cal. No. 30251; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$4,000 fine.

Alla Nikolaevna Tkachenko; Dental Hygienist; Jackson Heights, NY 11372-4836; Lic. No. 025422; Cal. No. 30650; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation, \$2,500 fine.

Engineering, Land Surveying and Geology

Daniel C. Kaufman; Professional Engineer; Clifton Park, NY 12065-1206; Lic. No. 086813; Cal. No. 30681; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Luigi-Claudio Sciandra; Professional Engineer; Smithtown, NY 11787-3011; Lic. No. 060935; Cal. No. 30698; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Nursing

Sarah C. Egert; Licensed Practical Nurse, Registered Professional Nurse; Utica, NY 13501; Lic. Nos. 277858, 578725; Cal. Nos. 29642, 29624; Found guilty of having been convicted of two counts of Petit Larceny; Penalty: \$500 fine, suspension for a minimum of 3 months and until abuse-free and fit to practice, probation 2 years to commence subsequent to termination of suspension and if and when return to practice.

Sunday Jean Caldwell; Registered Professional Nurse, Nurse Practitioner (Adult Health); East Setauket, NY 11733; Lic. No. 406737, Cert. No. 301526; Cal. Nos. 30247, 30248; Application for consent order granted; Penalty agreed upon: R.N. license: 2 years stayed suspension, 2 years probation; N.P. certificate: 3 months actual suspension, 21 months stayed suspension, 2 years probation; R.N. license and N.P. certificate: \$1,000 fine.

Kellianne Marie Billins; Licensed Practical Nurse; Utica, NY 13501; Lic. No. 258913; Cal. No. 30345; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Andrea Maklari; Licensed Practical Nurse; Elmira, NY 14901; Lic. No. 306438; Cal. No. 30352; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Ariana Marie Weaver; Registered Professional Nurse; Rochester, NY 14612; Lic. No. 725499; Cal. No. 30458; 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.

Nadine Annmarie Bowie; Registered Professional Nurse; Bronx, NY 10469; Lic. No. 715743; Cal. No. 30482; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

Mary J. Hicks a/k/a Mary Ridley; Licensed Practical Nurse; Panama City, FL 32404; Lic. No. 229399; Cal. No. 30502; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine.

Nicole Marie Fetzer; Registered Professional Nurse; Pennellville, NY 13132; Lic. No. 543801; Cal. No. 30524; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Dawn Marie O'Donnell; Registered Professional Nurse; Utica, NY 13502; Lic. No. 463273; Cal. No. 30563; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Marcie Jean Rowe; Licensed Practical Nurse; Schenectady, NY 12306-4920; Lic. No. 309038; Cal. No. 30570; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Michele Ann Baker; Registered Professional Nurse; Binghamton, NY 13905; Lic. No. 569787; Cal. No. 30590; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Frank Hernandez; Licensed Practical Nurse; Brooklyn, NY 11228; Lic. No. 324028; Cal. No. 30599; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Courtney Elaine Lewis; Licensed Practical Nurse; Lockport, NY 14094; Lic. No. 324708; Cal. No. 30610; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation to commence upon return to practice, \$500 fine.

Virginia Marie Blair a/k/a Virginia Marie Sordetto; Registered Professional Nurse; Buffalo, NY 14223; Lic. No. 382107; Cal. No. 30628; 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.

Stephanie Leung; Registered Professional Nurse; Fort Lee, NJ 07024; Lic. No. 692438; Cal. No. 30633; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$500 fine.

Michael J. Palmo; Licensed Practical Nurse, Registered Professional Nurse; Phenix City, AL 36870-2397; Lic. Nos. 279125, 581024; Cal. Nos. 30637, 30638; Application for

consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine.

Miriam Claire Rollock a/k/a Miriam C. Martin; Registered Professional Nurse; Moriches, NY 11955; Lic. No. 491005; Cal. No. 30639; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Stephanie Webster a/k/a Stephanie Stewart; Registered Professional Nurse; Grand Prairie, TX 75052-2111; Lic. No. 680405; Cal. 30640; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$500 fine.

Maria May Chaves Gevero; Registered Professional Nurse; San Bernadino, CA 92407; Lic. No. 549757; Cal. No. 30656; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$500 fine.

Carol Elna Angelone; Registered Professional Nurse; Unadilla, NY 13849; Lic. No. 357714; Cal. No. 30664; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Dorian Leigh Stewart; Licensed Practical Nurse, Registered Professional Nurse; Unadilla, NY 13849; Lic. Nos. 233309, 463799; Cal. Nos. 30669, 30659; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 year and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

George A. Weber; Licensed Practical Nurse, Registered Professional Nurse; Ridge, NY 11961; Lic. Nos. 280413, 599865; Cal. Nos. 30679, 30680; Application for consent order granted; Penalty agreed upon: 2 months actual suspensions, 22 months stayed suspensions, 2 years probation.

Sung Sil Kim; Registered Professional Nurse; Albertson, NY 11507; Lic. No. 457732; Cal. No. 30695; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Pharmacy

Gail Breen Rubinstein a/k/a Gail Ann Breen; Pharmacist; Saratoga Springs, NY 12866; Lic. No. 040642; Cal. No. 30113; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Philip Cherian; Pharmacist; Syosset, NY 11791; Lic. No. 049414; Cal. No. 30618; Application for consent order granted; Penalty agreed upon: \$4,000 fine, 2 years probation.

Jericho Pharmacy Corp; Pharmacy; Syosset, NY 11791; Reg. No. 030920; Cal. No. 30619; Application for consent order granted; Penalty agreed upon: \$2,500 fine, 1 year probation.

Public Accountancy

James Andrew Ellor; Certified Public Accountant; Wilton, NY 12831; Lic. No. 080120; Cal. No. 30600; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,000 fine.

Respiratory Therapy

Ian Douglas McGrath; Respiratory Therapy Technician, Respiratory Therapist; Castleton-on-Hudson, NY 12033; Lic. Nos. 004825, 009228; Cal. Nos. 30677, 30678; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Social Work

Ilana Lizabeth Kiley; Licensed Clinical Social Worker; Garnerville, NY 10923; Lic. No. 076806; Cal. No. 30569; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of not less than 1 year and until mentally fit to practice, upon termination of suspension, 2 years probation.

Brian R. Scholl; Licensed Master Social Worker; Ossining, NY 10562; Lic. No. 019915; Cal. No. 30646; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation to commence if and when return to practice.

ATTACHMENT I



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

Culturally Responsive-Sustaining Education in New York State

New York State Board of Regents
January 14, 2019

Presentation

- Previous Work Presented to the Board of Regents
- Stakeholders Consulted and Summary of Their Feedback
- Definition, Visual, and Guiding Principles of the Framework
- CR-S Framework Vision and Mindsets
- Implementation Timeline

Previous Board of Regents Presentation on Culturally Responsive-Sustaining Education

- In **June 2017**, the Office of P-12 Instructional Support presented on the benefits of promoting diversity in New York State. The proposal included culturally responsive-sustaining education to support diverse learners.
- In **January 2018**, the Office of P-12 Instructional Support and the Office of Higher Education presented to the Board of Regents about the demand for culturally responsive-sustaining education practices in New York State.

Previous Board of Regents Presentation on Culturally Responsive-Sustaining Education

- In **early 2018**, we secured a Project Coordinator position through grant funds for culturally responsive-sustaining education to support this work.
- In **spring of 2018**, as a result of these presentations, the Education Department convened a panel of academic experts in the field.
- In **summer of 2018**, we reached out to the Board of Regents for nominees, and convened an advisory panel of Board of Regents-nominated stakeholders.

The Framework

- The name of the framework is **Journey Forward: New York State Education Department's Culturally Responsive-Sustaining Framework.**
- The framework is organized by 4 guiding principles, adopted from Buffalo Public Schools, meant to create a welcoming environment, inform curriculum, instruction, and assessment, as well as provide guidance for professional learning.
- The framework includes guidelines for culturally responsive-sustaining practices for students, teachers, parents and community advocates, school leaders, district leaders, higher education, and the New York State Education Department.

Formal feedback collection process

Expert Committee

August 2017

October 2017

November 2018

Stakeholder Committee

August 2018

October 2018

Advisory Committee

September 2018

Collaborating Members

September 2018 to January 2019

Expert Committee

Alfredo Artiles	Arizona State
Jeff Duncan-Andrade	San Francisco State
David Kirkland	NYU-Metro Center
Gloria Ladson Billings	University of Wisconsin
Joyce Moy	CUNY
Django Paris	Michigan State
Carla Shedd-Guild	CUNY
Amy Stuart-Wells	Teachers College, CU
Mariana Souto-Manning	Teachers College, CU
Zoila Morrell	Mercy College

Advisory Committee

- Nominated by members of the Board of Regents.
- 20 experts from across the state who gave feedback and have been consulted as a part of the Culturally Responsive-Sustaining Initiative.

Summary of Stakeholder Feedback

- Pay close attention to the readability of language and avoid academic and educational jargon.
 - Definition
 - Language in the guidelines
- Provide tangible resources and examples of practice for stakeholders.
- Create an implementation plan that includes clear marketing and communications information.
- Create a visual that is understandable on sight.

Contents of the Framework

- Definition of CR-S
- Visual
- Vision Statement
- CR-S aligned mindsets
- Guidelines for 7 stakeholder groups
 - Students
 - Teachers
 - School Leaders
 - District Leaders
 - Families and Community Members
 - Higher Education Faculty and Administration
 - NYSED Policymakers
- The guidelines are organized by 4 principles of CR-S

Definition

Culturally responsive-sustaining (CR-S) education is grounded in a cultural view of learning and human development in which multiple expressions of diversity (e.g., race, social class, gender, language, sexual orientation, nationality, religion, ability) are recognized and regarded as assets for teaching and learning.

CR-S education explores the relationship between historical and contemporary conditions of inequality and ideas that shape access, participation, and outcomes for learners.

The goal of the CR-S framework is to help educators design and implement a student-centered learning environment that:

- Affirms cultural identities and fosters positive academic outcomes;
- Fosters and sustains meaningful relationships between schools and communities, with an emphasis on a personal investment in the lives of youth;
- Develops students' ability to connect across cultures;
- Empowers students as agents of positive social change; and
- Contributes to an individual's engagement, learning, growth, and achievement through the cultivation of critical thinking.

In order to make this a reality, the Department, under the Board of Regents, created a framework for CR-S practices.

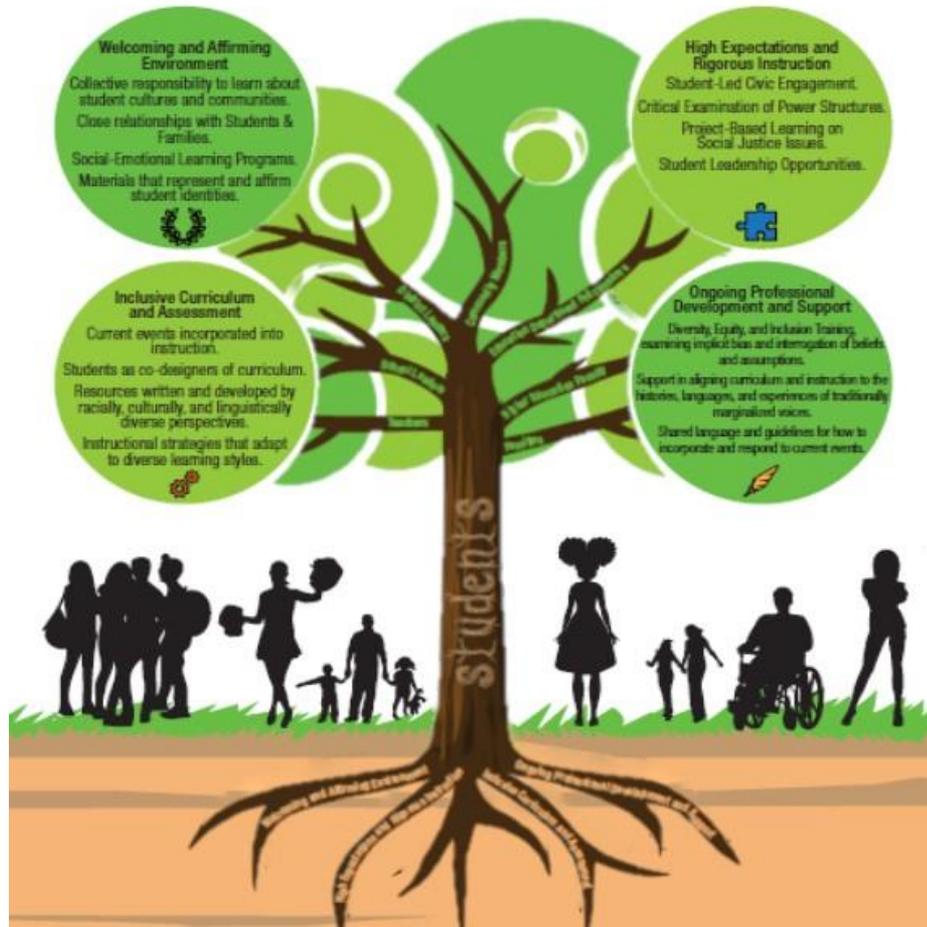
*Definition was created in collaboration with: Alfredo Artiles, Jeff Duncan-Andrade, David Kirkland, Gloria Ladson-Billings, Zoila Morell, Joyce Moy, Django Paris, Amy Stuart-Wells, Mariana Souto-Manning, Aida Walqui



Visual

Culturally Responsive-Sustaining Education

The CR-S framework helps educators create student-centered learning environments that: affirm racial, linguistic and cultural identities; prepare students for rigor and independent learning; develop students' abilities to connect across lines of difference; elevate historically marginalized voices; and empower students as agents of social change.



Visual

8.5 by 11

Cover Page of Framework

NYSED's Vision for Culturally Responsive-Sustaining Education

The New York State guidelines for Culturally Responsive-Sustaining Education are grounded in a vision of an education system that creates:

Students who experience academic success

Students are prepared for rigor and independent learning.

Students who are socio-politically conscious and sociocultural responsive

Students learn in a student-centered environment in which their cultural identities are affirmed and valued as vehicles for learning. Students grow in their ability to connect across lines of difference, and gain social emotional competencies to build strong relationships in their class and school communities.

Students who have a critical lens through which they challenge inequitable systems of access, power, and privilege.

Students bring a critical lens to the world as they study historical and contemporary conditions of inequity, and learn from historically marginalized voices. Students learn about power and privilege in the context of various communities, and are empowered as agents of positive social change.

Culturally Responsive-Sustaining Mindsets

- Mindset: Believing that students and their families should be valued and consulted as individuals from communities with their own strengths and knowledge.
- Mindset: Believing that culture is not an addition, but is a critical component of education.
- Mindset: Believing that critical and continuous self-reflection is required to dismantle systems of biases and inequities as they are rooted in our country's history, culture, and institutions.

The Culturally Responsive-Sustaining Guidelines

- The framework offers guidelines for 7 different stakeholder groups:

Students

Teachers

School Leaders

District Leaders

Families and Community Members

Higher Education Faculty and Administrators

State Education Department Policymakers

The Culturally Responsive-Sustaining Guidelines

For each of the stakeholder groups, the guidelines are organized by 4 principles of CR-S:

Creating a Welcoming and Affirming Environment

Fostering High Expectations and Rigorous Instruction

Identifying Inclusive Curriculum and Assessment

Engaging in Ongoing Professional Learning and Support

Implementation Timeline

Phase I

Raising Awareness (Winter 2018-Winter/Spring 2019):

- Ensure stakeholders are aware of New York State's Culturally Responsive-Sustaining Education initiative; seek stakeholder feedback to inform ongoing professional learning and resources.

Phase II

Building Capacity (Spring 2019-Summer 2020):

- Professional development continues on Culturally Responsive-Sustaining Education; resources roll out to support teachers, leaders, and education stakeholders.

Phase III

Sustaining Practices (September 2020 – ongoing):

- Districts sustain practices of the Culturally Responsive-Sustaining Education Framework in the field; gather and share examples of practice.

Implementation: Phase I

Phase I

Raising Awareness (Winter 2018-Winter/Spring 2019)

Key Implementation activities will include:

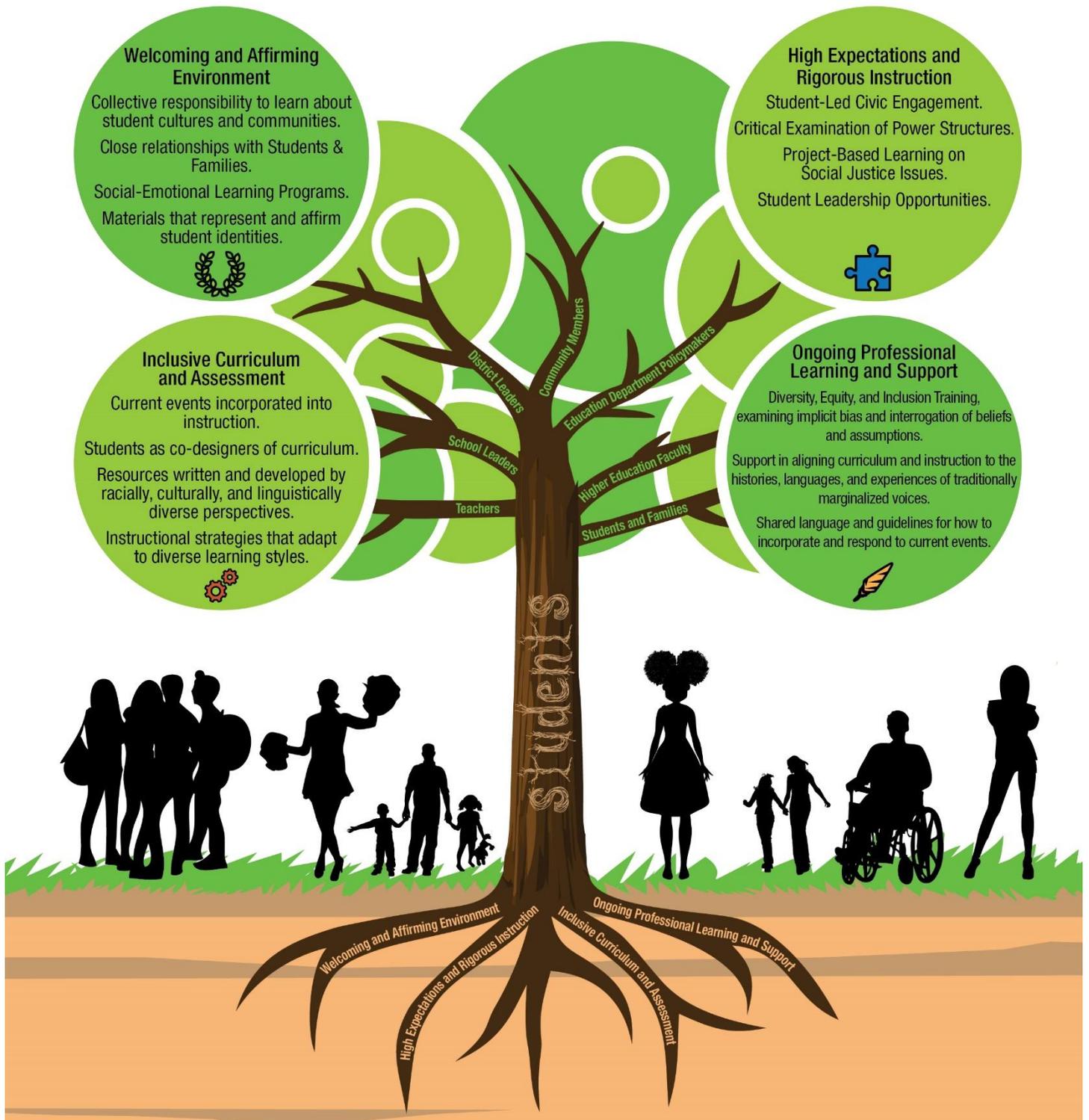
- **engaging** with key stakeholders, advisors, and experts in a series of panels, gathering feedback on the framework and assessing needs of various stakeholder groups
- **creating** promotional videos and print materials for circulation
- **leveraging** existing relationships with families and community advocacy groups to develop resources for family and community engagement
- **facilitating** informational webinars as an introduction to the CR-S framework
- **presenting** at internal and external working group meetings

Thank You

ATTACHMENT II

Culturally Responsive-Sustaining Education

The CR-S framework helps educators create student-centered learning environments that: affirm racial, linguistic and cultural identities; prepare students for rigor and independent learning; develop students' abilities to connect across lines of difference; elevate historically marginalized voices; and empower students as agents of social change.



DRAFT

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Acknowledgments

NYSED would like to acknowledge members of the **Culturally Responsive-Sustaining Education Expert Committee** who conceived of NYSED's definition of CR-S and provided the theoretical framework for this policy guide.

NYSED would also like to acknowledge members of the **Board of Regents-nominated Advisory Panel** for their guidance and continued partnership on this initiative.

The Culturally Responsive-Sustaining Framework is the collective insight of the various **stakeholders** we engaged with while creating this document from the ground up. We are grateful to the multitude of teachers, students, parents, administrators, community advocates, and higher education faculty who participated.

We would like to thank the following offices for their collaboration and feedback:

Office of Bilingual Education & World Languages under the direction of Lissette Colon-Collins
Office of Special Education under the direction of Christopher Suriano
Office of Curriculum & Instruction under the direction of Marybeth Casey
Office of Accountability under the direction of Ira Schwartz
Office of Higher Education under the direction of John D'Agati
Office of School Operations and Management Services under the direction of Renee Rider
Office of Assessment under the direction of Steven Katz
Office of Adult Career & Continuing Education Services under the direction of Kevin Smith

NYSED Expert Committee: Alfredo Artiles, Jeff Duncan-Andrade, David Kirkland, Gloria Ladson-Billings, Joyce Moy, Django Paris, Carla Shedd-Guild, Amy Stuart-Wells, Mariana Souto-Manning, Zoila Morrell.

NYSED Advisory Panel: Zakiyah Ansari, Tracey Atkins, Jim Bostic, Barry Derfel, Arnold Dodge, Winsome Gregory, Gilleyan Hargrove, Stanley Harper, Eva Hassett, Ruth Holland Scott, Andrea Honigsfeld, Sonya Horsford, Brian Jones, Marina Marcou-O'Malley, Regent Nan Mead, Fatima Morrell, Roberto Padilla, Joe Rogers, Yolanda Sealey-Ruiz, Andrea Toussaint, Carmela Thompson, Regent Lester Young, Jr.

This work was made possible due to generous partnerships between:

New York State Education Department and **The New York Community Trust**
New York State Education Department and **Leadership for Educational Equity**

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Introduction

For more than a century, education providers throughout the United States have strived and struggled to meet the diverse needs of American children and families. A complex system of biases and structural inequities is at play, deeply rooted in our country's history, culture, and institutions. This system of inequity — which routinely confers advantage and disadvantage based on linguistic background, gender, skin color, and other characteristics — must be clearly understood, directly challenged, and fundamentally transformed. The New York State Education Department (NYSED) has come to understand that the results we seek for all our children can never be fully achieved without incorporating an equity and inclusion lens in every facet of our work (see also New York State's Every Student Succeeds Act (ESSA) Plan). This understanding has created an urgency around promoting equitable opportunities that help all children thrive. New York State understands that the responsibility of education is not only to prevent the exclusion of historically silenced, erased, and disenfranchised groups, but also to assist in the promotion and perpetuation of cultures, languages and ways of knowing that have been devalued, suppressed, and imperiled by years of educational, social, political, economic neglect and other forms of oppression.

In January 2018, the New York State Board of Regents directed the Office of P-12 Education and Higher Education to convene a panel of experts, engage with stakeholders, and develop from the ground up a framework for culturally responsive-sustaining education. The New York University Metropolitan Center for Research on Equity and the Transformation of Schools drafted a robust guidance document that served as a springboard for this initiative. The New York State Education Department presented this guidance document to students, teachers, parents, school and district leaders, higher education faculty, community advocates, and policymakers. The guidelines in this document represent the collective insight of this work.

The Culturally Responsive-Sustaining (CR-S) framework is intended to help education stakeholders create student-centered learning environments that affirm cultural identities; foster positive academic outcomes; develop students' abilities to connect across lines of difference; elevate historically marginalized voices; empower students as agents of social change; and contribute to individual student engagement, learning, growth, and achievement through the cultivation of critical thinking. The framework was designed to support education stakeholders in developing and implementing policies that educate all students effectively and equitably, as well as provide appropriate supports and services to promote positive student outcomes.

Historically, education debates have been polarized, with difference sometimes being viewed as an individual deficit. The CR-S Framework marks our journey forward and begins the evolution toward leveraging difference as an asset. The framework is grounded in four principles¹:

Welcoming and Affirming Environment
High Expectations and Rigorous Instruction
Inclusive Curriculum and Assessment
Ongoing Professional Learning

Each principle is illustrated by a set of features rooted in elements of quality education that illustrate how CR-S might look in practice across a range of domains, from the State Education Department to the classroom. The framework represents an opportunity for stakeholders to continue to work together and plan for the unique needs of their communities.

The New York State Education Department recognizes much of this work is already happening across the state and looks forward to an even deeper understanding of culturally responsive-sustaining education in New York State schools, districts, and communities. This framework reflects the State's commitment to improving learning results for all students by creating well-developed, culturally responsive-sustaining, equitable systems of support for achieving dramatic gains in student outcomes.

¹ The 4 principles that organize State Education Department's CR-S Framework were inspired by the 4 high leverage strategies that emerged from Buffalo Public School's work on Culturally and Linguistically Responsive Education.

Vision

The New York State guidelines for culturally responsive-sustaining education are grounded in a vision of an education system that creates:

- I. **Students who experience academic success**
Students are prepared for rigor and independent learning. Students understand themselves as contributing members of an academically-rigorous, intellectually-challenging school and classroom community. Students demonstrate an ability to use critical reasoning, take academic risks and leverage a growth mindset to learn from mistakes.
- II. **Students who are sociopolitically conscious and socioculturally responsive**
Students learn in a student-centered environment in which their cultural identities (i.e. race, ethnicity, age, gender, sexual orientation, disability, religion, socioeconomic background) are affirmed, valued, and used as vehicles for learning. Students grow in their ability to connect across lines of difference and gain social emotional competencies to build strong relationships in their class and school communities.
- III. **Students who have a critical lens through which they challenge inequitable systems of access, power, and privilege.**
Students bring a critical lens to the world as they study historical and contemporary conditions of inequity and learn from historically marginalized voices. Students learn about power and privilege in the context of various communities and are empowered as agents of positive social change.

This vision is grounded in Gloria Ladson-Billings' early work on culturally relevant teaching, specifically the three criteria for culturally relevant pedagogy she puts forth in Ladson-Billings (1995). The New York State Culturally Responsive-Sustaining Framework includes guidelines for students, teachers, school leaders, district leaders, families and community members, higher education faculty, and Education Department policymakers. For guidelines to be effective, all stakeholders must work together, prioritize and implement systems and structures that facilitate the scale of culturally responsive-sustaining practices, and hold each other accountable to short- and long-term goals.

Vision

When stakeholders work together to implement culturally responsive-sustaining practices, educators will grow in their ability to be:

Sociopolitically Conscious	Socioculturally Responsive
Demonstrate excellence by being inclusive-minded and asset-focused	Commit to understanding the role of culture in education as flexible, local, and global
Identify and critically examine both historical and contemporary power structures	Act as agents of social change to redress historical and contemporary oppression
Reflect, honor, value, and center various identity perspectives as assets in policies and practices (Sue, 2001)	Build alliances across difference to eradicate all forms of discrimination
Engage in critical conversations	Engage current and historical issues
Recognize that personal, cultural, and institutionalized discrimination creates and sustains privileges for some while creating and sustaining disadvantage for others	Practice mutual respect for qualities and experiences that are different from one's own

Executive Summary

New York State Education Department Definition

Culturally responsive-sustaining (CR-S) education is grounded in a cultural view of learning and human development in which **multiple expressions of diversity (e.g., race, social class, gender, language, sexual orientation, nationality, religion, ability)** are recognized and regarded as assets for teaching and learning.

CR-S education explores the relationship between historical and contemporary conditions of inequality and ideas that shape access, participation, and outcomes for learners.

The goal of the CR-S framework is to help educators design and implement a student-centered learning environment that:

- affirms racial and cultural identities and fosters positive academic outcomes
- develops students' abilities to connect across cultures
- empowers students as agents of social change
- contributes to an individual's engagement, learning, growth, and achievement through the cultivation of critical thinking.

To make this a reality, the Department, under the Board of Regents, has created a framework for CR-S practices. The framework is intended to be used by a variety of education stakeholders, including but not limited to students, teachers, school and district leaders, families and community members, higher education faculty and administrators, and Education Department policymakers.

This definition was created by the NYSED Expert Committee: Alfredo Artiles, Jeff Duncan-Andrade, David Kirkland, Gloria Ladson-Billings, Joyce Moy, Django Paris, Carla Shedd-Guild, Amy Stuart-Wells, Mariana Souto-Manning, Zoila Morrell.

What is culture?

The New York State Education Department understands culture as the multiple components of one's identity, including but not limited to: race, economic background, gender, language, sexual orientation, nationality, religion, and ability. Culture far transcends practices such as cuisines, art, music, and celebrations to also include ways of thinking, values, and forms of expression. These ways and forms are in constant flux, renegotiation, and evolution. Schools then become a meeting point for cultures, containing children and adults who bring with them multiple facets of their identity, along with unique experiences and perspectives.

From this perspective, learning is rooted in the lives and experiences of people and cultivated through activities that people find meaningful. When teaching is not rooted in students' lives, student learning suffers. Perhaps worst, biases take hold and deficit perspectives become normalized throughout our schools and classrooms, structuring entire systems that blame students for failure.

The school community is representative of many cultures, and therefore culture has consequences on how students experience schools. The framework is intentional about the relationship between culture and education, presenting a multi-tiered systems approach for cultural inclusion that broadens what ethnic groups, classes, sexualities, and abilities are privileged in the creation and maintenance of traditional education.

Research suggests that many students whose cultures are more closely aligned with the “cultural fabric” of schools experience praise and are viewed as more dedicated than those whose home cultures differ. Educators committed to understanding both the concept of culture and many different cultures can refocus their lens for viewing students’ cultures not as “deficiencies to overcome” (Paris & Alim, 2014, p. 87), but as assets who possess vibrant realities and rich reservoirs of knowledge. By making all cultures matter, our students’ cultures can be positioned as strengths and as the foundation of empowering, rigorous, and innovative learning.

What is Culturally Responsive-Sustaining Education?

Culturally Responsive-Sustaining (CR-S) Education draws on decades of research in asset-based pedagogies that recognize that cultural difference (including racial, ethnic, linguistic, gender, sexuality and ability) should be treated as assets for teaching and learning. This approach to education counters dominant narratives about difference as deficits or as characteristics of students and families that should be remediated or assimilated. Using this approach to education, *all* families are believed to have cultural capital, or knowledge, abilities, and networks, that can, and should, be leveraged in classrooms. While schooling has traditionally privileged the capital of families from dominant backgrounds, CR-S positions educators to acknowledge, value, and leverage the wealth of knowledge found in communities that have been marginalized.

Culturally responsive education is about teaching the students in front of you. To do this requires that one work to get to know their students and develop meaningful relationships with students while engaging in the students’ communities. However, culturally responsive education must also be sustaining, that is it must work to encourage cultural pluralism and not cultural assimilation. Home and youth culture should be welcomed into the classroom as areas ripe for discussion. Differences should not just be seen as strengths, but they should also be maintained because they are what make students and families unique. How educators understand culture has real consequences for our children as a limited understanding of culture has the power to disadvantage some while privileging others (Kirkland, 2012).

What is the Culturally Responsive-Sustaining Framework?

The CR-S framework is an initiative by the New York State Education Department (NYSED) that establishes culturally responsive-sustaining guidelines for student, teachers, school and district leadership, families and community advocates, higher education, and the State Education Department. This initiative is both urgent and timely, as it responds to many of the public forum comments about Every Student Succeeds Act (ESSA), one of which is the necessity of including culturally responsive-sustaining education into all aspects of public education. The State Education Department worked closely with various academic experts, renowned in their respective fields, to draft a NYSED definition of culturally responsive-sustaining education. New York University Metropolitan Center for Research on Equity and the Transformation of Schools (Metro Center) used these conversations to draft a robust

guidance document from which this framework was created. The framework was then built from the ground up, drawing on feedback from stakeholders across the state who generously gave of their time and insight. After three rounds of feedback, this framework incorporates the collective insight of these stakeholders.

This document is intended for use across stakeholder groups. A guiding principle of asset-based pedagogies is that a culturally responsive-sustaining approach to teaching and learning benefits a broad range of stakeholders. In the design of this framework, we thought about those who work in urban, suburban and rural communities. We considered the unique needs of each of these environments and encourage educators to take up this framework, recognizing the unique needs of their teaching contexts and the plethora of diversity that exists in all educational environments.

NYSED recognizes that for culturally responsive-sustaining education to thrive, the impetus cannot be placed solely on student, teachers, and school leaders; all stakeholders must work together to create the conditions under which this vision of education can flourish. NYSED believes that we must incorporate an equity and inclusion lens in every facet of the state's work to achieve student success outcomes for all students. Thus, the framework aligns closely with other NYSED policies, including The New York State Board of Regents and the NYSED Every Student Succeeds Act (ESSA plan), specifically:

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

The 4 Principles of Culturally Responsive-Sustaining Education

The 4 principles that organize the New York State Education Department’s CR-S Framework are inspired by the 4 high leverage strategies that emerged from Buffalo Public School’s work on Culturally and Linguistically Responsive Education.

Principle	Symbol	Description	Resources
Welcoming and Affirming Environment		A welcoming and affirming environment feels safe. It is a space where people can find themselves represented and reflected, and where they understand that all people are treated with respect and dignity. The environment ensures all cultural identities (i.e. race, ethnicity, age, gender, sexual orientation, disability, language, religion, socioeconomic background) are affirmed, valued, and used as vehicles for teaching and learning.	<p>School Climate and Culture Index</p> <p>Mental Health Education Literacy Schools: Linking to a Continuum of Well-Being</p> <p>English Language Learner/Multilingual Learner Parent Resources</p> <p>Social Emotional Learning: Essential for Learning, Essential for Life</p> <p>Guidelines and Resources for Social and Emotional Development and Learning (SEDL) in New York State</p> <p>NYSED Information and Resources Regarding Restorative Justice and Trauma Sensitivity Training</p> <p>The New York State Dignity for All Students Act (DASA)</p>
High Expectations and Rigorous Instruction		High expectations and rigorous instruction prepare the community for rigor and independent learning. The environment is academically rigorous and intellectually challenging, while also considering the different ways students learn. Instruction includes opportunities to use critical reasoning, take academic risks, and leverage a	<p>New York State Board of Regents Every Student Succeeds Act (ESSA Plan)</p> <p>New York State Next Generation English Language Arts and Mathematics Learning Standards</p> <p>New York State My Brother’s Keeper</p>

growth mindset to learn from mistakes. Messages encourage positive self-image and empower others to succeed.

New York State Early Learning Standards

[Blueprint for Improved Results for Students with Disabilities](#)

State Systemic Improvement Plan
Multi-tiered Systems of Support Model

[Blueprint for English Language Learner/Multilingual Learner Success](#)

[Social Emotional Learning Benchmarks](#)

[Teacher Test Development and Participation Opportunities](#)

[Civic Readiness Initiative](#)

[The New York State K-12 Social Studies Framework and Toolkits](#)

Inclusive Curriculum and Assessment



Inclusive curriculum and assessment elevate historically marginalized voices. It includes opportunities to learn about power and privilege in the context of various communities and empowers learners to be agents of positive social change. It provides the opportunity to learn about perspectives beyond one's own scope. It works toward dismantling systems of biases and inequities, and decentering dominant ideologies in education.

Ongoing Professional Learning



Ongoing professional learning is rooted in the idea that teaching and learning is an adaptive process needing constant reexamination (Moll, et al., 1992; Gay, 2010). It allows learners to develop and sharpen a critically conscious lens toward instruction, curriculum, assessment, history, culture, and institutions. Learners must be self-directed and take on opportunities that directly impact learning outcomes.

[Diverse and Learner-Ready Teachers Initiative](#)

[Professional Standards for Educational Leaders \(PSELs\)](#)

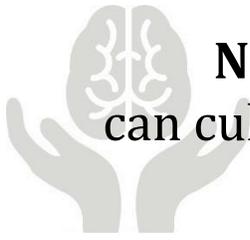
[New York State Teaching Standards](#)

[NYU Metro TAC-D 2018-2019 Regional Workshops](#)

Culturally Responsive-Sustaining Mindsets

All stakeholders (students, teachers, school leaders, district leaders, families and community members, higher education faculty and administrators, and Education Department Policymakers) can adopt these culturally responsive-sustaining aligned mindsets as a lens through which to implement the CR-S guidelines outlined in this framework.

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New York Education Stakeholders can cultivate Culturally Responsive-Sustaining Education for students by:

Believing that culture is not an addition but is a critical component of education.

Believing that students and their families are individuals with their own assets, knowledge, and abilities who should be valued and consulted.

- Student and community assets should be sustained and leveraged for academic achievement.
- Consider students as co-designers of curriculum and drivers of instruction (Jenkins & Healey, 2009)
- Embed community input into curriculum to reflect diversity of the local and global community.

Believing that critical and continuous self-reflection is required to dismantle systems of biases and inequities rooted in our country's history, culture, and institutions.

- Employ a critical pedagogy that empowers students to see themselves as agents of social change and architects of their own destinies (Duncan-Andrade & Morrell, 2008).
- Employ a critical lens (racial, gender, sexual identity, linguistic, religious, ability, socioeconomic, or other salient cultural identities) when developing resources and intervention frameworks to de-center dominant ideologies and pedagogies that ignore or marginalize diverse students.
- Identify and one's own implicit biases, reflecting on how they may shape one's feelings, actions, academic expectations, or behavioral expectations of students based on particular aspects of their identities (race, gender, social class, nationality, language, sexual orientation, ability, etc.)
- Assess and reflect on one's racial literacy skills, "the ability to read, discuss, and write about situations that involve race or racism" (Sealey-Ruiz, 2013), and seek opportunities to practice and develop racial literacy with peers and students.

Culturally Responsive-Sustaining Guidelines

All stakeholders (students, teachers, school leaders, district leaders, families and community members, higher education faculty and administrators, and Education Department Policymakers) can consider implementing the following CR-S guidelines as a means to achieve a more culturally responsive-sustaining education system.

The following section is organized by stakeholder group. Each stakeholder group is provided with guidelines that serve as recommendations according to the four principles of culturally responsive-sustaining education.

We recognize that much of this work is already happening across the state. The following guidelines are intended to offer a bank of strategies, with other perspectives for your community to consider. This is in no way meant to be an exhaustive list. Collaborate with stakeholders to prioritize and plan for the local needs of your community.

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New York State Students can contribute to a Culturally Responsive-Sustaining educational environment by:

Creating a welcoming and affirming environment



- Maintain knowledge and awareness that everyone reacts to situations differently based on their own experiences, cultural backgrounds, and perspectives.
- Practice empathy during all interactions. Think about others' feelings, taking into account their experiences and imagining what it feels like to be in another person's shoes.
- Respectfully, and with care, engage in difficult conversations, particularly those that challenge power and privilege in our society.
- Choose kind words over put-down language. Strive to accept others rather than impose negative judgment, in order to create a safe and supportive learning environment that allows for other students to think critically, share honestly, and take academic risks.
- Support and accept classmates. Hold peers accountable to following the mutually-agreed upon norms and assume the responsibility of creating an educational environment in which others feel affirmed and valued.
- Create opportunities for others to join the conversation by asking questions, listening to and acknowledging the opinions of others, and being open-minded to peers.
- Express respectful agreement or disagreement with opinions, validating the knowledge of peers, or challenging their viewpoints in constructive ways.
- Acknowledge and try to incorporate the ideas of peers respectfully, recognizing that other students may have vastly different perspectives, experiences, strengths, needs, and opinions.
- Lean into discomfort, taking emotional and academic risks by engaging in critical conversations.
- Support classmates when in need and work to help mediate through discussion and restorative practices.
- Collaborate with teachers and trusted adults to repair harm when harm is caused.
- Take risks and view mistakes as opportunities to grow academically and emotionally.

- Create collective norms about how to take care of the physical space and materials in the classroom and school community.
- Make an effort to build strong relationships across groups, talking to and getting to know a variety of peers and their perspectives.
- Consider the physical environment of the classroom to determine what cultures, languages, and identities are reflected, represented and valued. Collaboratively advocate for the representation of the cultural backgrounds of all students across New York State, ensuring that diverse backgrounds are reflected and valued in the school community throughout the year, not only on designated holidays.
- Advocate for diversity of art, food, and activities in the building that represent the vast diversity of the state and that incorporate relevant cultural and historical context.
- Work with teachers to create an environment that establishes mutually agreed-upon norms. Act out of a sense of personal responsibility to follow these norms, and not from a fear of punishment or desire for a reward.
- Build respect and mutual understanding across the school community, including with teachers, administrators, counselors, school aides, custodial staff, lunch and recess staff, etc.
- Take ownership of the physical space and learning environment in the school community, welcoming others, taking on leadership roles as school ambassadors, and creating and engaging in activities that improve the school climate and culture for students of diverse backgrounds.
- Participate in the creation of, and review of, school codes of conduct. Be a collaborating member of these existing committees.
- Address implicit bias in the school and community environment.
- Take risks and learn from your mistakes, in order to grow academically and emotionally.
- Identify inequity and challenge it when you see it.

Fostering high expectations and rigorous instruction



- Challenge oneself to do more than what feels academically comfortable. Set high goals and continuously revise them to push yourself out of your academic comfort zone.
- Collaborate with teachers to develop tools for persevering in difficult social and academic situations, i.e. growth mindset tools that help students view challenges and failures as opportunities to grow, and view their brain as a muscle that continues to get stronger over time when they take on new challenges and try new things.
- Draw upon your past learning, prior experiences, and the richness of your cultural background to make meaning of new concepts and apply learning on an ongoing basis.
- Strive and take pride in producing high quality work, using feedback to revise work, continuously improve, and set new goals.
- Voice and express the need for challenging work and extension activities after achieving a goal.
- Promote the group's success and support the participation of everyone in the learning task.
- Take responsibility for one's role in group activities, balancing group and individual accountability.
- Work cooperatively toward goals and hold each other accountable in supportive ways.
- Develop or sustain the mindset that having high expectations means caring about more than just a grade, but also personal growth and character development.
- Participate, when possible, in student leadership opportunities, such as student-led workshops, peer-led discussion, and student-run school-wide initiatives.
- Advocate for varied ways of learning (i.e. project-based learning, presentations, station work, small group work) that accommodate the diverse learning styles and interests of those in the class community.
- Continuously learn about implicit bias, with attention to identifying and addressing implicit bias in the school community.
- Advocate for the physical access of all differently-abled members of the school community.

Identifying inclusive curriculum and assessment



- Identify, discuss and dismantle implicit bias in curriculum and assessment.
- Advocate for the opportunity for all students to actively give input and share their opinions on the curriculum (book selection, course offerings, elective offerings).
- Identify gaps where the current curriculum does not address multiple perspectives, cultures, and backgrounds. Advocate for fair representation of these absent perspectives.
- Challenge power and privilege where present, or absent, in the curriculum by locating other resources or requesting curriculum that is inclusive of multiple perspectives.
- Generate ideas about people or concepts that peers may like to learn about and share these ideas with your teachers and school leaders.
- Ask questions about self, community, and society that may serve as opportunities to connect in-school learning with the world outside the classroom. Share these questions and any related ideas with your teachers and school leaders.
- Collaborate with teachers to connect events deemed relevant by your community to the classroom.
- Actively engage in service learning opportunities, when available, to expand learning beyond the classroom. Encourage peers to collaborate with you in these learning opportunities.
- Collaborate with teachers, peers, and administrators to create opportunities for meaningful long-term projects, project-based learning activities, and field visits that allow all students to demonstrate their knowledge and growth over time, and align to the varied learning styles and interests of those in the class community.
- Collaborate with teachers, peers, and administrators to create multiple ways of assessing in-classroom learning that allow all students to demonstrate their knowledge and growth over time, and align to the varied learning styles and interests of those in the class community.
- Look critically at the course offerings, extracurricular activities, and student-led organizations. Challenge the current system to make changes that ensure equitable access and participation, especially if the environment offers limited options in which the same students participate and hold leadership opportunities.

Engaging in ongoing professional learning and support



- Set goals toward future aspirations and collaborate with teachers and families to make plans about achieving them. Work daily toward accomplishing these goals.
- Apply for out-of-school programs and learning opportunities, when possible.
- Seek help and guidance, when needed, from broader support networks such as peers, family, and trusted adults.
- Take ownership and accountability after making mistakes, using your mistake as an opportunity to learn and further academic and emotional growth.
- Continuously learn about implicit bias, with attention to identifying and challenging your own biases, and identifying and addressing implicit bias in the school community.
- Challenge yourself to learn about people, cultures, languages, orientations, abilities, and socioeconomic backgrounds different than your own.



New York State Teachers can cultivate Culturally Responsive-Sustaining Education for students by:

Creating a welcoming and affirming environment



- Assess the physical environment of the classroom and school to determine whether a variety of diverse cultures, languages, orientations, and identities are reflected, represented and valued. Promote a variety of perspectives that represent the diversity of the state of New York beyond designated icons, historical figures, months and holidays.
- Build rapport and develop positive relationships with students, and their families, by learning about their interests and inviting them to share their opinions and concerns. Find opportunities to address and incorporate their opinions and concerns.
- Provide multiple opportunities for parents to communicate in their language and method of preference, such as digital and in-person formats, class visits, phone conversations, text message, email, collaborative projects, and impromptu conferences.
- Work with families early and often to gather insight into students' cultures, goals, and learning preferences.
- Enact classroom management strategies that avoid assigning blame or guilt to students based on perceptions about their cultures, differences, or home lives.
- Work toward creating an environment that establishes mutually agreed-upon norms and encourages students to act out of a sense of personal responsibility to follow those norms, not from a fear of punishment or desire for a reward.
- Meet with families to understand and align the recognition, reward, and incentive practices used in the classroom to the values and cultural norms of families.
- Create opportunities to allow different groups and ideas to become part of the fabric of the school community by organizing proactive community-building circles and activities that promote positive relationships among individuals from diverse backgrounds. Include students, teachers, school staff, leaders, families, and community members in these opportunities.
- Use restorative justice circles and structures to welcome students back into learning when harm has occurred.

- Participate in the review of school and district policies (codes of conduct, curriculum reviews, community engagement, etc.).
- Attend or volunteer at community events, when possible, to develop relationships with families and the community outside of the classroom setting.
- Respond to instances of disrespectful speech about student identities by intervening if hurtful speech or slurs are used, addressing the impact of said language, and discussing appropriate and inappropriate responses when instances of bias occur. Use these moments as opportunities to build classroom environments of acceptance.
- Identify and address implicit bias in the school and community environment.
- Encourage students to take academic risks in order to create an environment that capitalizes on student mistakes as learning opportunities that help students grow academically and emotionally.

Fostering high expectations and rigorous instruction



- Have high expectations and deliver rigorous instruction for all students regardless of identity markers, including race, gender, sexual orientation, language, ability, and economic background.
- Reflect on your own implicit bias, how that bias might impact your expectations for student achievement or the decisions you make in the classroom, and the steps you can take to address your biases and their impact on students.
- Strive to be culturally sustaining by centering the identities of all students in classroom instruction, encouraging cultural pluralism rather than asking students to minimize their identities in order to be successful.
- Provide parents with information about what their child is expected to learn, know, and do at his/her grade level and ways to reinforce concepts at home (e.g., using the home language; reading with, or monitoring, independent reading).
- Promote alternative achievement metrics that also support academics (e.g., demonstrating growth, leadership, character development, Social Emotional Learning competencies, or school values).
- Invite families and community members to speak or read in the classroom as a means to teach about topics that are culturally specific and aligned to the classroom curriculum and/or content area.

- Provide opportunities for students to critically examine topics of power and privilege. These can be planned project-based learning initiatives, instructional activities embedded into the curriculum, or discussion protocols used in response to inequity that occurs in the school and/or classroom.
- Incorporate current events, even if they are controversial, into instruction. Utilize tools (prompting discussion questions, Socratic seminar, conversation protocols) that encourage students to engage with difficult topics (power, privilege, access, inequity) constructively.
- Be responsive to students' experiences by providing them with a space to process current events.
- Help students identify their different learning styles in both classwork and homework and incorporate instructional strategies and assignments that are responsive to those learning styles.
- Provide students with opportunities to present to their peers through project-based or stations-based learning to leverage student experience and expertise.
- Co-create explicit classroom expectations that meet the needs of all students.

Identifying inclusive curriculum and assessment



- Feature and highlight resources written and developed by traditionally marginalized voices that offer diverse perspectives on race, culture, language, gender, sexual identity, ability, religion, nationality, migrant/refugee status, socioeconomic status, housing status, and other identities traditionally silenced or omitted from curriculum.
- Play a role in helping schools to understand and align curriculum to the variety of histories, languages and experiences that reflect the diversity of the State population.
- Pair traditional curricular content with digital and other media platforms that provide current and relevant context from youth culture.
- Provide homework, projects, and other classroom materials in multiple languages.
- Provide regular opportunities for social emotional learning strategies within lessons and as discrete learning activities.
- Utilize student data points and assessment measures that reflect learning spaces, modalities, and demonstration of proficiency that go beyond metrics traditionally associated with standardized testing.

- Engage students in youth participatory action research that empowers youth to be agents of positive change in their community.
- Connect instructional content with the daily lives of students by using culturally-specific examples (e.g., music, movies, text) that tap into their existing interests, knowledge, and youth culture.
- Take field trips to community-learning sites, such as museums, parks, cultural centers, neighborhood recreational centers, and community centers, to foster students' cultural understanding and connection to the surrounding community.
- Incorporate cooperative learning activities to encourage understanding of diverse perspectives; support students in working cooperatively toward goals; and highlight students' unique strengths in the group (e.g., public speaking, note-taking, writing, drawing, etc.).
- Support students in creating and running student-led initiatives.

Engaging in ongoing professional learning and support



- Continuously learn about implicit bias, with attention to identifying and challenging your own biases, and identifying and addressing implicit bias in the school community.
- Use professional learning activities as opportunities to better acquaint oneself with the diverse communities in which their students live.
- Set professional goals related to CR-S practices.
- Engage in inquiry groups and professional learning communities with peers and mentors.
- Analyze discipline data to determine any trends across sub-groups or bias toward students.



New York State School Leaders can cultivate Culturally Responsive-Sustaining Education for students by:

Creating a welcoming and affirming environment



- Conduct periodic review of school policies (i.e. dress code, discipline code, conduct code), by collaborating with parents, teachers, community members and incorporating research-based best practices such as restorative justice, positive behavior interventions and supports.
- Assess school climate using a variety of measures (i.e. surveys, interviews, focus groups, informal gatherings) to collect diverse stakeholder impressions and experiences, using questions that consider issues of diversity, equity, and inclusion.
- Disaggregate data (i.e. discipline, attendance, enrollment in advanced coursework, special education, and gifted and talented programs) by sub-group, evaluate trends, and create a strategic plan to address disproportionality.
- Provide space for teachers and staff to process and determine how to engage with students and families after social and political events that impact the wider community.
- Support formal and informal structures for families to receive information about grade-level standards and expectations, developmentally appropriate social emotional tools, and strategies to support academic and social growth at home.
- Provide interpretation services at family meetings (i.e. parent organization meetings, community events, during the enrollment process, during the provision of special education services, etc.), to ensure family engagement includes meaningful two-way communication and offers families the opportunity to share (not just receive) in their home language.
- Develop multiple means of ongoing family engagement (i.e. apps and online systems of communication, parent leadership opportunities, parent family liaison positions, opportunities for families to serve as active co-creators of policies and programs, parent organizing bodies, and holding meetings at varied hours, possibly providing transportation and childcare, outreach at community meetings).
- Create advisory groups consisting of various education stakeholders (families, teachers, students, community members) to work collaboratively to set school norms, establish school

goals, and build alignment between the families' expectations and values, and the school's expectations and values.

- Work with cultural and community centers to identify needs and provide services to families by offering classes such as parenting, financial literacy, computer literacy, or English language at the school.
- Highlight works of art designed by students and members of the broader community that incorporate relevant cultural and historical context.
- Create a visibly multilingual and multicultural environment by posting signs, banners, and other materials throughout the school that acknowledge and celebrate the identities of students.
- Post high-quality work in the physical environment that is not limited to the display of correct answers, but also demonstrates students' critical thinking, conceptual understanding, reasoning, and application of content to meaningful real-world situations. Work to ensure high-quality work is equitably represented from students across sub-groups.
- Create "listening conferences" or "peacemaking circles" led by a trained facilitator through which all stakeholders can discuss cultural and social values and resolve conflict.
- Develop peer mediation programs where trained student mediators assist their peers in settling disputes.
- Incorporate time in the school day when formal restorative practices can occur.
- Provide the time and resources for students to create cultural clubs to learn more about their culture as well as other students' cultures.
- Develop interview questions when hiring new staff that provide opportunities for candidates to identify ways they share (or don't share) experiences with the local student populations and to explain the implications of those experiences for their professional practices.
- Incorporate parent and community voices into the hiring process.

Fostering high expectations and rigorous instruction



- Have high expectations and ensure rigorous instruction for all students regardless of identity markers, including race, gender, sexual orientation, language, ability, and economic background.
- Reflect on your own implicit bias, how that bias might impact your expectations for student achievement or the decisions you make in the school, and the steps you can take to address your biases and their impact on students.
- Develop in-school inquiry-based teams to address instructional rigor, cultural responsiveness, achievement disparities, and student engagement.
- Embed cognitive and instructional strategies into teacher coaching that enables students to strengthen learning capacity.
- Embed cognitive and instructional strategies into the teacher coaching model that pushes teachers to put the cognitive lift on students. Coach teachers to deliver high-quality instruction that enables students to grow as independent learners, think critically, make meaning of new concepts in multiple ways, and apply learning to meaningful, real-world situations.
- Promote alternative achievement metrics that also supports academics (e.g., demonstrating school values, strong attendance, leadership, growth).

Identifying inclusive curriculum and assessment



- Support staff in embedding grade-level, standards-aligned resources that emphasize cultural pluralism; social justice; and current events into curriculum across content areas.
- Partner with teachers to audit curriculum, materials, and school or classroom libraries to assess: whether they properly represent, value, and develop students' cultures; presence of implicit bias; or omission of cultural (race, class, gender, language, sexual orientation, nationality, ability) perspectives.
- Support the design and implementation of multiple forms of assessment that consider personalized student needs (i.e. learning style, learning preferences, language proficiency).
- Invest in curricular resources that reflect diverse cultures and voices of marginalized people.
- Invest in community leaders and family members as contributors to instruction by actively seeking and welcoming their history and knowledge.

- Incorporate social emotional learning (SEL) materials, resources, and strategies into the school day and broader learning environment that consider and plan for topics of equity and inclusion.
- Expose students to the world beyond the home community while affirming their own identities (i.e. community mentor programs, guest speakers, field trips, cross-district partnerships).

Engaging in ongoing professional learning and support



- Support teachers in building capacity to leverage community context in curriculum.
- Create learning communities (i.e., professional learning communities, book study, discussion groups, online webinars, digital subscriptions) for teachers and students to engage in topics that directly address educator and student identities and understand and unpack privilege.
- Provide opportunities for teachers and leaders to receive trainings on topics related to diversity, equity, and inclusion, such as: critical self-reflection, disproportionality, anti-bias, developing racial literacy, combating racism and microaggressions, etc.
- Use data and research to identify teachers with strong culturally responsive-sustaining practices and racial literacy skills and allow time for them to share their practices (i.e. peer observations, professional learning, etc.)
- Support teachers in conducting cross-curricular culturally responsive-sustaining planning sessions by providing forums for collaborative planning, drafting, mapping, and aligning.



New York State District Leaders can cultivate Culturally Responsive-Sustaining Education for students by:

Creating a welcoming and affirming environment



- Create a policy statement about your commitment to culturally responsive-sustaining education, and include staff (teachers, school safety officers, counselors, lunch and recess staff) in its creation, development, and ongoing training.
- Conduct periodic review of school policies (i.e. dress code, discipline code, conduct code), by collaborating with parents, teachers, community members and incorporating research-based best practices such as restorative justice, positive behavior interventions and supports.
- Encourage and incentivize school leaders to hold spaces (i.e. community forums, social events) that foster collaboration among teachers, families, and community members that provide insight into the assets that exist among the school community.
- Provide resources to schools (i.e. shared language, online resources, questions for discussion, etc.) for incorporating and responding to current events and events that impact the community.
- Formalize structures for school and district-wide parent collaboration, such as parent-teacher associations/organizations (PTA/PTO) or academic parent-teacher teams (APTT).
- Assess school climate using a variety of measures (i.e. surveys, interviews, focus groups, informal gatherings) to collect diverse stakeholder impressions and experiences, using questions that consider issues of diversity, equity, and inclusion.
- Disaggregate data (i.e. discipline, attendance, enrollment in advanced coursework, special education, and gifted and talented programs) by sub-group, evaluate trends, and create a strategic plan to address disproportionality.
- Make accessible and readable information readily available to families in a variety of modes, including translations and accommodations for those with disabilities.
- Provide interpretation services at family meetings (i.e. parent organization meetings, community events, during the enrollment process, during the provision of special education services, etc.), to ensure family engagement includes meaningful two-way communication and offers families the opportunity to share (not just receive) in their home language.

- Gather family and community feedback on district-wide policies before implementation and provide transparent updates during and after implementation.
- Develop multiple means of ongoing family engagement (i.e. apps and online systems of communication, holding meetings at varied hours, possibly providing transportation and childcare, outreach at community meetings or other places the community gathers).
- Stay current on wider social and political issues that affect communities served by the district (i.e. hold regular meetings with community-based organizations and advocacy groups, create a community liaison role to gather information from the field).
- Work to improve the recruitment and retention of a diverse teacher workforce (i.e. teachers who identify as people of color, LGBTQ, differently-abled) by strengthening pipelines for teacher education and cultivating relationships with local and national partners (i.e. historically Black colleges and universities, Hispanic association of colleges and universities, alliance organizations).
- Identify, cultivate, and support students who are interested in joining the district in the future as a classroom teacher or school professional (school counselor, occupational and speech pathologist, etc.) by partnering with higher education and other professional organizations that could provide scholarships, internships, externships, and mentorship opportunities, as a means to strengthen teacher education pipelines.
- Work with cultural and community centers and organizations to identify needs and provide services to families by offering classes such as parenting, financial literacy, computer literacy, or English language at the school.

Fostering high expectations and rigorous instruction



- Strategize instructional methods to disrupt any disparities in student success outcomes that exist across lines of difference, highlighting and sharing best practices from the field.
- Incorporate adaptive learning methods that encourage differentiation, exploration and curiosity as opposed to scripted, one-size-fits-all instructional programs.
- Partner with experts in the field (i.e. professional learning organizations, higher education, consultants) to identify research-based, instructional strategies that are most effective in advancing student academic success.
- Use tools to identify and recognize instructional methods that high-performing, culturally responsive-sustaining teachers are using across content areas.
- Facilitate structures for teacher collaboration across school and district teams, i.e. peer observations, school visits, purposeful partnerships, mentor teachers.

Identifying inclusive curriculum and assessment



- Adopt curriculum that includes culturally authentic learning experiences that mirror students' ways of learning, understanding, communicating, and demonstrating curiosity and knowledge.
- Adopt curriculum that highlights contributions and includes texts reflective of the diverse identities of students and reframes the monocultural framework that privileges the historically advantaged at the expense of other groups.
- Invest in research to determine assessments geared toward academic achievement for underrepresented and underserved students of diverse identities.
- Formally disseminate existing research on best practices from the field regarding culturally responsive-sustaining curriculum, instruction, and assessment to stakeholders in the district.
- Partner with higher education institutions on curriculum development, coaching, and consultation around issues of diversity, equity and inclusion (e.g., immigration, integration, diversification of curriculum).
- Create courses district-wide about the diversity of cultures representative of the state of New York (e.g., Native Americans, African Americans, Latinx Studies, Asian American Studies, Gender Studies) in a way that is comprehensive (e.g., across grade levels and not relegated to one specific month) and empowering (e.g., African American history does not begin with slavery, but with African history).

Engaging in ongoing professional learning and support



- Train and build the capacity of instructional leaders to support teachers in delivering instruction that is rigorous, student-centered, and promotes students as agents of positive social change.
- Disseminate existing, or develop new, self-assessment tools and resources for educators to assess and reflect on their implicit biases.
- Ensure schools have evidence-based trainings and planning time supportive of CR-S, including space for collaborative curriculum drafting, mapping, and aligning (Carter & Welner, 2013).
- Provide Professional Learning Communities and other professional learning structures to address bias, develop racial literacy skills, etc.
- Use data and research to identify teachers with strong CR-S practices and racial literacy skills and allow time/space for them to share their practices with other district teachers.

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New York State Families and Community Members can cultivate Culturally Responsive-Sustaining Education for students by:

Creating a welcoming and affirming environment



- Communicate with your child’s teachers using your preferred language and means of communication (e.g., in-person, phone, email, texts, notes) from the variety of methods of participation offered (in-class, in-school, at-home, community-based). When a variety of communication methods is not offered, advocate for increased means of communication.
- Advocate for the right to receive communications in the language and format desired.
- Advocate to ensure that school culture and environment is safe and responsive to children’s needs.
- Partner with teachers and school leaders to inform them of, and assist with, school community needs.

Fostering high expectations and rigorous instruction



- Be aware of, and collaboratively advocate for, children having access to a wide range of educational coursework and programming.
- Share knowledge about your child’s interests, learning style, learning preferences, and prior educational experiences with trusted teachers and leaders in the school community.
- Share traditions and cultural assets with teachers to support the integration of these values within curriculum.
- Support students in engaging with their local community (i.e. youth participatory action research [Y-PAR] and other community-based inquiry) that encourages student engagement with their local contexts.
- Be open to opportunities for service learning, outreach, field trips, and other educational opportunities in the school community, toward the end of helping students develop a sense of identity and belonging and provide a support system in the school community.

- Ask teacher and school leaders what is being taught in each class, and periodically inquire about children’s progress toward achieving learning goals.
- Support students in achieving progress toward learning goals, to the extent possible. Seek help and guidance from trusted teachers, leaders, and families in the school community, when needed.

Identifying inclusive curriculum and assessment



- Generate ideas about concepts that your children and their peers may like to learn about.
- Ask questions of your children about self, community, and society that may serve as opportunities to connect in-school learning with the world outside the classroom.
- Collaborate with teachers to connect events deemed relevant by the community to the classroom.
- Actively engage your children in service learning opportunities, when available, to expand learning beyond the classroom.

Engaging in ongoing professional learning and support



- Participate in decision-making around programs, policies, and learning activities that impact the school community.
- Work with parent organizations to ensure that parents are represented in the school across various identities including race, family orientation, social class, profession, religious backgrounds.
- Offer time and talents to school events and trainings, to the extent possible.
- Leverage the knowledge of other parents to create strong parental in-school community.
- Set goals with your children toward their future aspirations and collaborate with teachers to make plans about achieving them.
- Support your children in applying for out-of-school programs and learning opportunities, when possible.



New York State Higher Education Faculty and Administrators can cultivate Culturally Responsive-Sustaining Education for students by:

Creating a welcoming and affirming environment



- Create a policy statement about your institution's commitment to culturally responsive-sustaining education that includes a definition, shared language, and short and term-long goals. Include administrators, faculty, staff, and students in its creation and ongoing implementation.
- Identify school codes of conduct and discipline policies that disproportionately impact persons of color, students who are English Language Learners/Multilingual Learners, students with disabilities, students of different religions, gender identities, sexual identities, nationalities, socioeconomic backgrounds, housing status, migrant/refugee status, and other diverse identities.
- Collaborate with teacher and leader candidates to address inequitable policies, and expand the development of tools to do so.
- Work to expand the recruitment and retention of a diverse student body and staff with identities and experiences that reflect the varied experiences of the student population. (i.e. educators and staff who identify as people of color, LGBTQ, differently-abled; educators and staff with experience in both rural and urban populations).

Fostering high expectations and rigorous instruction



- Have high expectations and deliver rigorous instruction for all teacher and leader candidates regardless of identity markers, including race, gender, sexual orientation, language, ability, and economic background.
- Reflect on your own implicit bias, and how that bias might impact your expectations for teacher and leader candidate achievement, and the decisions you make as a faculty member or administrator.
- Create a course, or embed into existing courses, the opportunity for teacher and leader candidates to identify and address their own implicit bias.
- Train and build the capacity of teacher and leader candidates to deliver instruction that meets the needs of a diverse population; values multiple components of student identity (race,

economic background, gender, language, sexual orientation, nationality, religion, and ability); counters deficit-based policies; and promotes students as agents of positive social change.

- Review and update faculty pedagogical practices for culturally responsive-sustaining teaching across disciplines and support faculty in implementing said instruction.
- Invest in research to determine the educational policies and reforms geared toward academic achievement for underrepresented and underserved students of diverse identities and support faculty in implementing these practices in their teacher and leader preparation courses.
- Formally disseminate existing research on best practices from the field regarding culturally responsive-sustaining instruction to stakeholders in the district.
- Document and share examples from the field of culturally responsive-sustaining instruction and school leadership beyond the academic community to reach all education stakeholders.
- Place teaching candidates in student teaching placements across a range of diverse settings (urban, rural, suburban, small, large, traditional, nontraditional), supporting teachers to work along lines of difference with students of diverse backgrounds (race, language, economic background, ability).

Identifying inclusive curriculum and assessment



- Integrate CR-S education into teacher and education leadership preparation programs as both a standalone class and an infused aspect of all teacher preparation classes.
- Prioritize social emotional learning approaches that are culturally responsive-sustaining as essential to quality teaching and learning throughout New York State.
- Partner with districts on curriculum development, coaching, and assessment consultation with regard to issues of diversity, disproportionality, equity, and inclusion.
- Partner with teachers, school leaders, and district leaders to create materials to help in CR-S strategic planning and implementation at the classroom, school, and district level.
- Conduct curriculum audits within teacher and education leadership preparation programs to identify the levels of bias existing in current resource selection and staff capacity. Work with teacher and education leadership to use this data to better inform or advocate for different curricular choices.
- Invest in research to identify culturally responsive-sustaining methods of assessment that consider personalized student needs (i.e. learning style, learning preferences, language

proficiency, interests) and allow all students to demonstrate their knowledge and growth over time.

- Formally disseminate existing research on best practices from the field regarding culturally responsive-sustaining curriculum and assessment to stakeholders in the district.
- Support school districts in creating courses about the diversity of cultures representative of the state of New York, (e.g., Native Americans, African Americans, Latinx Studies, Asian American, Gender Studies) in a way that is comprehensive (e.g., across grade levels and not relegated to one specific month) and empowering (e.g., African American history does not begin with slavery, but with African history).

Engaging in ongoing professional learning and support



- Prioritize teacher and leader professional learning opportunities that align with New York State Professional Learning Standards and build educators' capacities to deliver CR-S instruction. Work with school leaders and districts to engage teachers and school support staff in these opportunities both as in-school, job-embedded professional development and as out-of-school, college/university-based professional learning. Opportunities might be remote, in-person, short-term, or long-term.
- Create pipelines between the district and college/universities by identifying, cultivating, and supporting high school students of diverse backgrounds from the district who are interested in returning to the district as classroom teachers or school professional personnel (school counselors, occupational and speech pathologists, etc.).
- Disseminate existing, or develop new, self-assessment tools and resources for educators to assess and reflect on their implicit biases.



New York State Education Department

Policymakers can cultivate Culturally Responsive-Sustaining Education for students by:

Creating a welcoming and affirming environment



- Strive to be sustaining by centering the identities of all students in our educational policies, encouraging cultural pluralism rather than creating policies that ask students to minimize their identities in order to be successful.
- Strive to be responsive to the needs of students, teachers, school and district leaders, parents, and families.
- Work to expand the recruitment and retention of a diverse staff with identities and experiences that reflect the varied experiences of the student population in New York State (i.e. staff who identify as people of color, LGBTQ, differently-abled; staff with experience in both rural and urban populations).
- Make accessible and readable information readily available, in multiple languages, to parents and families.
- Develop guidance on ways schools can respond to local and global events, as well as prominent community concerns.
- Provide resources families need to be engaged advocates for their children’s sense of belonging in school, with particular regard to the opportunities and challenges associated with having marginalized identity markers (i.e. race, sexuality, gender identity, ability, language, etc.)
- Recognize the effect of school environment on student achievement and continue to expand the development of tools that assess, address, and support the improvement of school climate.
- Engage families and communities in a respectful way, as outlined in the first commitment of New York State’s My Brother’s Keeper (MBK).

Fostering high expectations and rigorous instruction



- Create different pathways for educational success and life readiness, including college, career, technical education, and vocational pathways, etc.
- Create high-quality resources that allow teachers, school leaders, and district leaders to plan and implement culturally responsive-sustaining practices in their respective communities.
- Align existing resources to the Diagnostic Tool for School and District Effectiveness (DTSDE) and Social Emotional Learning (SEL) frameworks.
- Align existing state standards to CR-S guidelines.
- Adhere to the six commitments set by New York State’s My Brother’s Keeper (MBK) that incorporate strategies to help boys and young men of color—and all students—realize their full potential.

Identifying inclusive curriculum and assessment



- Identify and share resources in every content area that allow teachers, school leaders, and district leaders to embed equitable representations of diverse cultures, celebrate the voices of underrepresented identities, and accurately represent historical events into curriculum.
- Promote the design of multiple forms of assessment that consider personalized student needs (i.e. learning style, learning preferences, language proficiency).
- Promote and utilize asset-based research on the academic achievement of underrepresented and underserved students to determine educational policies and reforms related to standards, curriculum, and assessment.
- Use differentiated approaches to instruction based on need and culture, as outlined in the third commitment of New York State’s My Brother’s Keeper (MBK).

Engaging in ongoing professional learning and support



- Build internal staff capacity to engage in continuous professional learning and growth around culturally responsive-sustaining practices that will be reflected in policies.
- Provide supports, opportunities, and resources that build stakeholders' capacity to implement CR-S practices.
- Continuously engage staff members in professional learning about implicit bias, with particular attention to allowing staff members to identify and challenge their own biases, and training them on identifying and addressing implicit bias in the workplace.
- Provide educators with opportunities for professional learning in the areas of equity, anti-bias, multicultural, and culturally responsive-sustaining pedagogies.
- Identify and share research practices proven effective and highlight examples of best practices from the field.

References

- Alim, H. S., Baglieri, S., Ladson-Billings, G., Paris, D., Rose, D. H., Valente, J. M. (2017, Spring). Responding to: "Crosspollinating culturally sustaining pedagogy and universal design for learning: Toward an inclusive pedagogy that accounts for Dis/ability." *Harvard Educational Review*, 87(1), 4-25.
- Archibold, E.E. (2016). Accessing freedom: culturally responsive restorative justice practice in schools. *Journal of Pedagogy, Pluralism and Practice*. 8(1), 110-122. Retrieved from <https://digitalcommons.lesley.edu/cgi/viewcontent.cgi?article=1044&context=jppp>.
- Aronowitz, S., & Giroux, H. A. (1985). *Education under siege: The conservative, liberal, and radical debate over schooling*. South Hadley, MA: Bergin and Garvey.
- Aronson, B., & Laughter, J. (2016, March). The theory and practice of culturally relevant education: A synthesis of research across content areas. *Review of Educational Research*, 86(1), 163-206.
- Asante, M. K. (2009). *Afrocentricity*. New York: John Wiley & Sons, Inc.
- Asmar, M. (2016, August 12). One way Denver public schools is addressing race and culture in the classroom. *Chalkbeat*. Retrieved from <https://www.chalkbeat.org/posts/co/2016/08/12/one-way-denver-public-schools-is-addressing-race-and-culture-in-the-classroom/>.
- Au, K., & Jordan, C. (1981). Teaching reading to Hawaiian children: Finding a culturally appropriate solution. In H. T. Trueba, G. P. Guthrie, & K. Au (Eds.), *Culture and the bilingual classroom: Studies in classroom ethnography* (pp. 139–152). Rowley, MA: Newbury.
- Augustin, C. (2016, June 15). Langston league launches new curriculum aimed at black male students. *The Vibe*. Retrieved from <https://www.vibe.com/2016/06/langston-league-shapes-new-statistic-of-young-black-male-scholars/>.
- Banks, J.A. (2003). *Levels of integration of multicultural content, A brief summary*. Retrieved from <http://resources.css.edu/diversityservices/docs/levelsofintegrationofmulticulturalcontent.pdf>.
- Bhabha, H. K. (1994). *The Location of Culture*. New York: Routledge.
- Benigni, M.D., Bronk, L., & Cardona, M.A. (2017). *Meeting the needs of our students: creating a diverse teaching staff*. Retrieved from http://www.meridenk12.org/Customer-Content/WWW/CMS/files/Creating_A_Diverse_Teaching_Staff.pdf.
- Benhabib, S. (2002). *The claims of culture: Equality and diversity in the global era* (pp. 1-48). Princeton, N.J.: Princeton University Press.
- Boykin, A. W. (1994) Afro-cultural expression and its implications for schooling. In E. R. Hollins, J. E. King, & W. C. Hayman (Eds.), *Teaching diverse populations: Formulating a knowledge base* (pp. 243-256). Albany: State University of New York Press.

- Boykin, A. W., & Noguera, P. (2011). *Creating the opportunity to learn: moving from research to practice to close the achievement gap*. Alexandria, VA: ASCD.
- BPS High School to Teacher Program. (n.d.). Retrieved from <http://www.teachboston.org/become-a-teacher/bps-high-school-to-teacher-program>.
- Bristol, T. J. (2015) Teaching boys: Toward a theory of gender-relevant pedagogy. *Gender and Education*, 27(1), 53-68.
- Brown-Jeffy, S., & Cooper, J. E. (2011). Toward a conceptual framework of culturally relevant pedagogy: An overview of the conceptual and theoretical literature. *Teacher Education Quarterly*, 38, 65–84.
- Carter, P. L., & Welner, K. G. (2013). *Closing the opportunity gap: what America must do to give every child an even chance*. New York: Oxford University Press.
- Cazden, C., & Leggett, E. (1981). Culturally responsive education: Recommendations for 7 achieving Lau remedies II. In H. T. Trueba, G. P. Guthrie, & K. Au (Eds.), *Culture and the bilingual classroom: Studies in classroom ethnography* (pp. 69–86). Rowley, MA: Newbury House.
- Childress, S., Doyle, D. P., & Thomas, D. A. (2009). *Leading for equity: the pursuit of excellence in Montgomery County Public Schools*. Cambridge, MA: Harvard Education Press.
- Cohen, J., Pickeral, T., & McCloskey, M. (2009). Assessing school climate. *The Education Digest*, 74(8), 45.
- Darling-Hammond, L., & Berry, B. (1999). Recruiting teachers for the 21st century: The foundation for educational equity. *Journal of Negro Education*, 254-279.
- Duncan-Andrade, J. M., & Morrell, E. (2008). *The art of critical pedagogy: possibilities for moving from theory to practice in urban schools*. New York: Peter Lang.
- Emily Richmond. (2015, December 29). When restorative justice in schools works. *The Atlantic*. Retrieved from <https://www.theatlantic.com/education/archive/2015/12/when-restorative-justice-works/422088/>.
- Fergus, E., Noguera, P., & Martin, M. (2014). *Schooling for resilience: improving the life trajectory of Black and Latino boys*. Cambridge, MA: Harvard Education Press.
- Ferlazzo, L. (2016, February 6). How to practice restorative justice in schools. *Education Week Teacher Blog*. Retrieved from http://blogs.edweek.org/teachers/classroom_qa_with_larry_ferlazzo/2016/02/response_how_to_practice_restorative_justice_in_schools.html?r=2122042716.
- Ford, D.Y., Moore, J.L., & Whiting, G.W. (2006). Eliminating deficit orientations: creating classrooms and curricula for gifted students from diverse cultural backgrounds. In Constantine, M.G. & Sue, D.W. (Eds.), *Addressing racism: facilitating cultural competence in mental health and educational settings* (pp. 173-193). Hoboken, NJ: Wiley. Retrieved from <https://start.hubzilla.org/cloud/lexlee/Addressing%20Racism%20Facilitating%20Cultural%20Co>

[mpetence%20in%20Mental%20Health%20and%20Educational%20Settings%20%5Bblackatk%5D.pdf](#).

Fortner, C., Faust-Berryman, A., & Keehn, G. (2014). *Atlanta public schools equity audit*. Retrieved from <https://www.atlantapublicschools.us/site/handlers/filedownload.ashx?moduleinstanceid=48320&dataid=44054&FileName=APS%20Equity%20Audit%20Report%20final.pdf>.

Freire, P. (2000). *Pedagogy of the oppressed* (30th anniversary ed.). New York: Continuum.

Garcia, E. E. & Ozturk, M. (2017). *An asset-based approach to Latino education in the United States: Understanding Gaps and Advances*. New York, NY: Routledge.

Gay, G. (1994). *At the essence of learning: Multicultural education*. West Lafayette, IN: Kappa Delta Pi

Gay, G. (2010). *Culturally responsive teaching: theory, research, and practice*. New York, NY: Teachers College Press.

Gellerman, B. (2015, September 14). Boston public school system seeks to increase diversity among its teachers. *WBUR News*. Retrieved from <http://www.wbur.org/news/2015/09/14/boston-teachers-diversity>.

Human Resource Council for the Nonprofit Section. (n.d.). *Diversity at work*. Retrieved from <http://hrcouncil.ca/hr-toolkit/diversity-recruitment.cfm>.

Illinois Criminal Justice Information Authority. *Implementing restorative justice: A guide for schools*. Retrieved from <https://www.sccgov.org/sites/pdo/ppw/SESAP/Documents/SCHOOL%20RJP%20GUIDEBOOK.pdf>.

Jackson State University. (n.d.). *Call me MISTER*. Retrieved from <http://www.jsums.edu/mli/mister/>.

Jenkins, A., & Healey, M. (2009). Developing the student as a researcher through the curriculum. *Innovations in practice*, 2(1), 3-15.

Jordan, C. (1985). Translating culture: From ethnographic information to educational program. *Anthropology & Education Quarterly*, 16, 105–123.

King, J., & Wilson, T. L. (1987). On being African-American: Beyond cultural democracy and racist education. Unpublished manuscript.

Kirkland, D. (2012). Why I study culture, and why it matters: Humanizing ethnographies in social science research. In D. Paris & M. Winn (Eds.), *Humanizing Research*. Thousand Oaks Publishing.

Klump, J. & McNeir, G. (2005). *Culturally responsive practices for student success: A regional sampler*. Portland, Or.: Northwest Regional Educational Laboratory. Retrieved from <http://educationnorthwest.org/sites/default/files/culturally-responsive-practices.pdf>.

Korbey, H. (2018). A history in which we can all see ourselves. *Edutopia*. Retrieved from <https://www.edutopia.org/article/history-which-we-can-all-see-ourselves>.

- Ladson-Billings, G. (1992). Culturally relevant teaching: The key to making multicultural education work. In C.A. Grant (Ed.), *Research and multicultural education* (pp. 106-121). London: Falmer Press.
- Ladson-Billings, G. (1994). *The dreamkeepers: Successful teachers of African American children*. San Francisco, CA: JosseyBass.
- Ladson-Billings, G. (1995) But that's just good teaching! The case for culturally relevant pedagogy. *Theory into Practice*, 34(3), 159-165.
- Ladson-Billings, G. (2001). *Crossing over to Cannan: The journey of new teachers in diverse classrooms*. San Francisco: Jossey-Bass.
- Landsman, J. & Lewis, C. W. (2010). *White teachers / diverse classrooms: creating inclusive schools, building on students' diversity, and providing true educational equity*. Sterling, Virginia: Stylus Publishing.
- Lucas, T., & Villegas, A. M. (2013). Preparing linguistically responsive teachers: Laying the foundation in preservice education. *Theory Into Practice*, 52(2), 98-109.
- Macias, J. (1987). The hidden curriculum of Papago teachers: American Indian strategies for mitigating cultural discontinuity in early schooling. In G. Spindler & L. Spindler (Eds.), *Interpretive ethnography at home and abroad* (pp. 363-80). Hillsdale, NJ: Lawrence Erlbaum Associates.
- Mcgrady, M. (2016, February 17). White students undergo weekly "deconstructing whiteness" program at northwestern university. *The College Fix*. Retrieved from <https://www.thecollegefix.com/post/26279/>.
- McKenzie, K.B. & Scheurich, J.J. (2004). Equity traps: A useful construct for preparing principals to lead schools that are successful with racially diverse students. *Educational Administration Quarterly*. 40(5), 601-632. doi: 10.1177/0013161X04268839.
- McLaren, P. (1989). *Life in schools: An introduction to critical pedagogy in the foundations of education*. White Plains, NY: Longman.
- Metropolitan Center for Urban Education. (2008). Academic interventions for struggling learners: Using culturally responsive instructional support teams. New York University Steinhardt School of Culture, Education, and Human Development.
- Mid-Atlantic Equity Consortium. (2016). English learners & disproportionality in special education. Retrieved from <https://maec.org/wp-content/uploads/2016/04/English-Learners-and-Disproportionality-in-Special-Ed.pdf>
- Mohatt, G., & Erickson, F. (1981). Cultural differences in teaching styles in an Odawa School: A sociolinguistic approach, In H. Trueba, G. Guthrie, & K. Au (Eds.), *Culture and the bilingual classroom: Studies in classroom ethnography* (pp. 105-119), Rowley, MA: Newbury House.
- Moll, L. C., Amanti, C., Neff, D. & González, N. (1992/2001). Funds of knowledge for teaching: Using a qualitative approach to connect homes and classrooms. *Theory Into Practice*, 31, 132-141.

- Moll, N. C. & González, N. (1994). Lessons from research with language-minority children. *Journal of Reading Behavior*, 26(4), 439-456.
- Moore, S., Perez-Mendez, C., Beatty, J., & Eiserman, W. (1999). *A three-way conversation: effective use of cultural mediators, interpreters and translators*. Denver, Co: Western Media Products. Retrieved from <http://fpg.unc.edu/sites/fpg.unc.edu/files/resources/presentations-and-webinars/A%20Three%20Way%20Conversation.pdf>.
- Muñiz, J. (2018, February 28). Diversifying the teacher workforce with 'grow your own' programs. *New America*. Retrieved from <https://www.newamerica.org/education-policy/edcentral/diversifying-teacher-workforce-grow-your-own-pathways>.
- Office of Special Education Programs (OSEP), Center on Positive Behavioral Interventions and Supports. (2010, November 26). *PBIS frequently asked questions*. Retrieved from http://www.pbis.org/common/cms/files/pbisresources/PBIS_Q&A.pdf.
- Paris, D. (2012). Culturally sustaining pedagogy: A needed change in stance, terminology, and practice. *Educational Researcher*, 41(3), 93-97.
- Paris, D., & Alim, H.S. (2014). What are we seeking to sustain through culturally sustaining pedagogy? A loving critique forward. *Harvard Educational Review*, 84(1), 85-100.
- Paris, D., & Alim, H. S. (Eds). (2017). *Culturally sustaining pedagogies: Teaching and learning for justice in a changing world*. New York, NY: Teachers College Press.
- Peterson, E.R., Rubie-Davies, C., Osborne, D., & Sibley, C. (2016). Teachers' explicit expectations and implicit prejudiced attitudes to educational achievement: Relations with student achievement and the ethnic achievement gap. *Learning and Instruction*, 42, 123-140. Retrieved from https://www.researchgate.net/publication/293804841_Teachers%27_explicit_expectations_and_implicit_prejudiced_attitudes_to_educational_achievement_Relations_with_student_achievement_and_the_ethnic_achievement_gap.
- Public Policy Associates, Incorporated. (2015). *Considerations for conducting evaluation using a culturally responsive and racial equity lens*. Retrieved from <http://publicpolicy.com/wp-content/uploads/2017/04/PPA-Culturally-Responsive-Lens.pdf>.
- Rabouln, D. (2013, January 31). Black history month has been an epic failure. *Huffington Post*. Retrieved from https://www.huffingtonpost.com/dion-rabouin/black-history-month_b_2581805.html?utm_hp_ref=black-voices.
- Research Alliance for New York City Schools. (2016). *Culturally relevant education: a guide for educators*. Retrieved from https://steinhardt.nyu.edu/scmsAdmin/media/users/sg158/PDFs/esi_practice_guides/CRE_Practice_Guide.pdf.
- Richards, H; Brown, A; Forde, T. (2004). *Addressing Diversity in Schools: Culturally Responsive Pedagogy*. Denver, CO: National Center for Culturally Responsive Educational Systems (NCCRESt)

- Roth, K. (2017). The induction seminar: nurturing culturally sustaining teaching and learning in rural Alaska native communities. In Coulter, C., Jimenez-Silva, M., & Pinnegar, S. (Eds.), *Culturally sustaining and revitalizing pedagogies: language, culture, and power* (pp. 169-187). Bingley, U.K.: Emerald Publishing Limited.
- Santamaria, L. J. (2009). *Culturally responsive differentiated instruction: Narrowing gaps between best pedagogical practices benefiting all learners*. *Teachers College Record*, 111(1), 214-247.
- Sealey-Ruiz, Y. (2013). *Building racial literacy in first-year composition*. *Teaching English in the Two Year College*, 40(4), 384.
- Shade, B. J., Kelly, C., and Oberg, M. (1997). *Creating Culturally Responsive Classrooms*. Washington, DC: American Psychological Association.
- Sleeter, C. E. (2012). Confronting the marginalization of culturally responsive pedagogy. *Urban Education*, 47(3), 562-584.
- Smith, R. G., & Brazer, S. D. (2016). *Striving for equity: district leadership for narrowing the opportunity and achievement gaps*. Cambridge: Harvard Education Press.
- Sue, D. W. (2001). Multidimensional facets of cultural competence. *The Counseling Psychologist*, 29(66), 790- 821.
- Sammet, K. & Kekelis, L. (2016). Expanding access and inclusion in STEM through culturally responsive family engagement. *STEM Next Opportunity Fund*. Retrieved from <http://43ot971vwwe7okplr1iw2ql1-wpengine.netdna-ssl.com/wp-content/uploads/2018/05/Case-Study- Final.pdf>.
- Schott Foundation for Public Education (2014). *Restorative practices: fostering healthy relationships & promoting positive discipline in schools: A guide for educators*. Retrieved from <http://schottfoundation.org/sites/default/files/restorative-practices-guide.pdf>.
- Sharan, Y. (2010). Cooperative learning: a diversified pedagogy for diverse classrooms. *Intercultural Education*, 21(3), 195-203. Retrieved from https://www.researchgate.net/profile/Yael_Sharan/publication/239604296_Cooperative_learning_A_diversified_pedagogy_for_diverse_classrooms/links/55099f6d0cf27e990e0f7f38/Cooperative-learning-A-diversified-pedagogy-for-diverse-classrooms.pdf?origin=publication_detail.
- Sue, D.W., Capodilupo, C.M., Torino, G.C., Bucceri, J.M., Holder, A.M.B., Nadal, K.L., & Esquilin, M. (2007). Racial microaggressions in everyday life: Implications for clinical practice. *American Psychologist*, 62(4), 271-286. Retrieved from <https://world-trust.org/wp-content/uploads/2011/05/7-Racial-Microaggressions-in-Everyday-Life.pdf>.
- Teaching Tolerance. (2017, August 30). Examining your school's climate. *Tolerance*. Retrieved from <https://www.tolerance.org/professional-development/examining-your-schools-climate>.
- Turner, C. S. (2002). *Diversifying the faculty: A guidebook for search committees*. Washington, DC: Association of American Colleges & Universities.

The Leadership Conference Education Fund. (2017). The 2nd Annual New Education Majority Poll: Black and latino parents and families on education and their children's future.

Tom Joyner Foundation. (2014). *EWC officially rolls out the call me MISTER program*. Retrieved from <https://tomjoynerfoundation.org/ewc-officially-rolls-call-mister-program/>.

University of Washington College of Education. *Using multicultural literature to increase reading engagement and comprehension for upper elementary students in Michigan*. Retrieved from <https://education.uw.edu/cme/mlp>.

U.S. Department of Education. (2016). *The state of racial diversity in the educator workforce*. Retrieved from <https://www2.ed.gov/rschstat/eval/highered/racial-diversity/state-racial-diversity-workforce.pdf>.

Vavrus, M. (2008). Culturally responsive teaching. In T.L. Good (Ed.), *21st century education: a reference handbook*, 2, 49-57, Los Angeles: Sage.

Villegas, A. M. (1991). *Culturally responsive pedagogy for the 1990's and beyond*. Washington, DC: ERIC Clearinghouse on Teacher Education.

Vogt, L., Jordan, C., & Tharp, R. (1987). Explaining school failure, producing school success: Two cases. *Anthropology and Education Quarterly*, 18, 276-286.

Weinstein, C., Curran, M., & Tomlinson-Clarke, S. (2003). Culturally responsive classroom management: awareness into action. *Theory Into Practice*, 42(4), 269-276. Retrieved from <http://www.e1b.org/Portals/0/Files%20by%20Division/School%20Support/RSETASC/Culturally%20Responsive%20Classroom%20Management.pdf?ver=2015-04-20-150043-343>.

Woodson, C. G. (2009). *The mis-education of the Negro*. New York: Wilder Publications Limited.

Glossary of Terms

Asset-based perspective is a transformational perspective that recognizes and values the rich cultural practices embedded in all communities. Asset-based teaching is a strengths-based approach that leverages students' knowledge, experiences, skills, values, and perspectives as assets for learning. Asset-based educators see cultural differences as assets, create caring learning communities in which social, cultural, and linguistic diversities are valued, use the cultural knowledges of diverse cultures, families, and communities to guide curriculum development, classroom climates, instructional strategies, and relationships with students, and challenge racial, linguistic, and cultural stereotypes, prejudices, racism, and other forms of intolerance, injustice, and oppression.

Deficit-based perspective implies that students are flawed or deficient and that the role of the school is to fix the student. Deficit-based teaching seeks to teach to students' weaknesses instead of teaching to their strengths. It views students as needed to be fixed or remediated, and often attributes their school failures to perceived deficits that lie within the student, their family, community or culture.

Diversity is a reality created by individuals and groups from a broad spectrum of demographic and philosophical differences. These differences can exist along dimensions of race, ethnicity, gender, language heritage, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other ideologies. It is the exploration of these differences in a safe, positive, and nurturing environment. It is about understanding each other and moving beyond simple tolerance to embracing and celebrating the rich dimensions of difference contained within everyone. Finally, we acknowledge that categories of difference are not always fixed but can be fluid,

and we respect individual rights to self-identification, as no one culture is intrinsically superior to another.

Equity is the state, quality, or ideal of being just, impartial, and fair. The concept of equity is synonymous with fairness and justice. To be achieved and sustained, equity needs to be thought of as a structural and systemic concept, and not as idealistic. Equity is a robust system and dynamic process that reinforces and replicates equitable ideas, power, resources, strategies, conditions, habits, and outcomes.

Systematic equity is a complex combination of interrelated elements designed to create, support and sustain social justice.

Gender implies a non-binary association of characteristics within the broad spectrum between masculinities and femininities. In New York State, gender is identified by the student. In the case of very young transgender students not yet able to advocate for themselves, gender may be identified by the parent or guardian.

Inclusive more than simply diversity and numerical representation, being inclusive involves authentic and empowered participation and a true sense of belonging. In an inclusive school, the social and instructional space is designed such that all students have access to the curriculum and there are many opportunities for students to be successful.

Internalized racism describes the private racial beliefs held by and within individuals. The way we absorb social messages about race and adopt them as personal beliefs, biases, and prejudices are all within the realm of internalized racism. For people of color, internalized oppression can involve believing in negative messages about oneself or one's racial group. For Whites, internalized privilege can

involve feeling a sense of superiority and entitlement or holding negative beliefs about people of color.

Interpersonal racism is how our private beliefs about race become public when we interact with others. When we act upon our prejudices or unconscious bias — whether intentionally, visibly, verbally — we engage in interpersonal racism. Interpersonal racism also can be willful and overt, taking the form of bigotry, hate speech or racial violence.

Institutional racism is racial inequity baked into our institutions, connoting a system of power that produces racial disparities in domains such as law, health, employment, education, and so on. It can take the form of unfair policies and practices, discriminatory treatment and inequitable opportunities and outcomes. A school system that concentrates people of color in the most overcrowded and under-resourced schools with the least qualified teachers, compared to the educational opportunities of more advantaged students, is an example of institutional racism.

Microaggressions are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership. In many cases, these hidden messages may invalidate the group identity or experiential reality of targeted persons, demean them on a personal or group level, communicate the perception that they are lesser human beings, suggest they do not belong with the majority group, threaten and intimidate, or relegate them to inferior status and treatment.

Multilingual learners (MLs) are students who, by reason of foreign birth or ancestry, speak or understand languages other than English, speak or understand little or no English, require support in order to become proficient in

English, and are identified pursuant to Section 154.3 of New York State’s Commissioner’s Regulations.

Pluralism is a socially constructed system in which members of an identity group maintain participation in this group even as they belong to a larger cultural group. Educational pluralism is when students can leverage aspects of their cultural background as assets for learning and sustain those assets throughout their schooling. They are not required to minimize their unique cultural strengths in order to experience social and academic success or acceptance because no one culture is not valued as standard or dominant.

Race is a socially constructed system of categorizing humans largely based on observable physical features (phenotypes) such as skin color and ancestry. There is no scientific basis for or discernible distinction between racial categories. The ideology of race has become embedded in our identities, institutions, and culture and is used as a basis for discrimination and domination.

Racial justice is the systematic fair treatment of people of all races that results in equitable opportunities and outcomes for everyone. All people are able to achieve their full potential in life, regardless of race, ethnicity or the community in which they live. Racial justice — or racial equity — goes beyond “anti-racism.” It’s not just about what we are against, but also what we are for. A CR-S education framework should move us from a reactive posture to a more powerful, proactive and even preventative approach.

The concept of **racism** is widely thought of as simply personal prejudice, but, in fact, it is a complex system of racial hierarchies and inequities. At the micro level of racism, or individual level, are internalized and interpersonal systems of engrained bias. At the macro level of racism, we focus beyond individuals to the broader dynamics, including

symbolic, ideological, institutional, and structural systems of racial hierarchies and inequities.

Socioeconomic status is the social standing or class of an individual or group. It is often measured as a combination of education, income, and occupation. Examinations of socioeconomic status often reveal inequities in access to resources, as well as issues related to privilege, power, and control.

In New York State, a student's socioeconomic status is determined by family participation in economic assistance programs, such as the Free or Reduced Price Lunch Programs; Social Security Insurance (SSI); Food Stamps; Foster Care; Refugee Assistance (cash or medical assistance); Earned Income Tax Credit (EITC); Home Energy Assistance Program (HEAP); Safety Net Assistance (SNA); Bureau of Indian Affairs (BIA); or Family Assistance: Temporary Assistance for Needy Families (TANF). If one student in a family is identified as low income, all students from that household or economic unit may be identified as low income.

Sociocultural responsiveness involves the active sensitivity to what all students need to be successful academically, psychologically, emotionally, and socially. Such responsiveness recognizes that all students are different and must be uniquely responded to, challenged and stimulated, and strategies must be adapted to meet the needs of individual and groups of students.

Socio-political consciousness involves an awareness to both the social and political factors at play in the workings of complex societal systems. This consciousness is necessary for navigating complex systems based on a unity of thought and performance, reflective practice and deliberative action, skills that are meaningful and necessary for participation in expanding global economies and democracies.

Structural racism (or structural racialization) is the operation of racial bias across institutions and society. It describes the cumulative and compounding effects of an array of factors that systematically privilege one group over another. Since the word "racism" often is understood as a conscious belief, "racialization" may be a better way to describe a process that does not require intentionality. Race equity expert John A. Powell writes: "'Racialization' connotes a process rather than a static event. It underscores the fluid and dynamic nature of race... 'Structural racialization' is a set of processes that may generate disparities or depress life outcomes without any racist actors."

Systematic equity is a complex combination of interrelated elements consciously designed to create, support, and sustain social justice. It is a robust system and dynamic process that reinforces and replicates equitable ideas, power, resources, strategies, conditions, habits, and outcomes.

Systemic racialization describes a dynamic system that produces and replicates racial ideologies, identities, and inequities. Systemic racialization is the deeply-institutionalized pattern of discrimination that cuts across major political, economic and social organizations in a society. Public attention to racism is generally focused on the symptoms (such as a racist slur by an individual) rather than the system of racial inequality. Like two sides of the same coin, racial privilege describes race-based advantages and preferential treatment based on skin color, while racial oppression refers to race-based disadvantages, discrimination and exploitation based on skin color.

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DRAFT

ATTACHMENT III



RESOLUTION

January 14, 2019

VOTED: That the Board of Regents adopts the following resolution:

WHEREAS, on December 18, 2018, the federal Commission on School Safety issued its final report, in which it recommended the rescission of various federal guidance documents and associated materials regarding racial discrimination in the administration of student disciplinary policies; and

WHEREAS, in a December 21, 2018 "Dear Colleague Letter" ("December 21, 2018 Letter"), the United States Department of Justice ("USDOJ") and United States Department of Education ("USDOE") withdrew "the statements of policy and guidance" contained in the following documents: "Dear Colleague Letter on Nondiscriminatory Administration of School Discipline" dated January 8, 2014 ("January 8, 2014 Letter"); and "Overview of the Supportive School Discipline Initiative" dated January 8, 2014; and several related documents (collectively referred to as "the federal guidance documents"); and

WHEREAS, in the December 21, 2018 Letter, USDOJ and USDOE explained that "[t]he Departments have concluded that the Guidance and associated documents advance policy preferences and positions not required or contemplated by Title IV or Title VI"; and

WHEREAS, Title IV of the Civil Rights Act of 1964 ("Title IV") prohibits discrimination in public elementary and secondary schools based on race, color, religion, sex or national origin; and Title VI of the Civil Rights Act of 1964 ("Title VI") prohibits discrimination based on race, color, or national origin by recipients of federal financial assistance; and

WHEREAS, in the January 8, 2014 Letter, USDOJ and USDOE explained that the purpose of the federal guidance documents was to "help public elementary and secondary schools administer student discipline in a manner that does not discriminate on the basis of race" and to summarize "schools' obligations to avoid and redress racial discrimination in the administration of student discipline; and"

WHEREAS, the January 8, 2014 Letter also provided "recommendations to assist schools in developing and implementing student discipline policies and practices equitably and in a manner consistent with their Federal civil rights obligations," which included the following:

Develop and implement a comprehensive, school- and/or district-wide approach to classroom management and student behavior grounded in evidence-based educational practices that seeks to create a safe, inclusive, and positive educational environment.

Assist students in developing social and emotional competencies (e.g., self-management, resilience, self-awareness, responsible decision-making) that help them redirect their energy, avoid conflict, and refocus on learning.

Refer students with complex social, emotional, or behavioral needs for psychological testing and services, health services, or other educational services, where needed.

Involve students and student advocates in maintaining a safe, inclusive, and positive educational environment through programs such as peer mediation and restorative justice, as appropriate.

WHEREAS, in addition to studies indicating that racial disparities in student discipline rates persist in New York State and nationally,ⁱ research has also shown that students with disabilities and lesbian, gay, bisexual, transgender and questioning (“LGBTQ”) students are also at higher risk for suspension and expulsionⁱⁱ and that suspension can be the first step in a series of events leading to lower student academic achievement, higher truancy rates, higher dropout rates, and higher rates of contact with the juvenile and adult justice systems^{iii iv v vi}; and

WHEREAS, research has also demonstrated that the use of exclusionary discipline (removing students from their learning environment) adversely impacts school climate overall, does not make students feel safer, and can have a negative effect on other students’ academic performance and achievement^{vii viii}; and

WHEREAS, research has found that the quality of the school climate is one of the most critical predictive factors in any school’s capacity to promote student achievement^{ix}; and

WHEREAS, research shows that exclusionary school discipline is not an effective way to manage student behavior and the American Psychological Association has concluded that zero-tolerance policies fail to make schools safer^x; and

WHEREAS, the Board of Regents is committed to ensuring that all students have the opportunity to learn and access programs and services in schools that foster a culture and climate and are safe havens for learning; where every student feels welcome and free from bias, harassment, discrimination, and bullying; and

WHEREAS, New York State’s federally-approved Every Student Succeeds Act (“ESSA”) plan is focused on providing our schools with the tools they need to give *all* students an education that meets the principles associated with educating the “whole child” and at its core, is intended to foster equity as well as positive and healthy school climates in New York State’s educational system; and

WHEREAS, New York State requires age-appropriate mental health instruction for students, focused on enhancing students’ understanding, attitudes, and behaviors toward well-being and human dignity, helping students identify risk and protective factors, as learning and resiliency can result in positive decision-making and life-long success; and

WHEREAS, with the support of the Legislature and the Governor at the request of the Board of Regents, the New York State Education Department has established a Safe and Supportive Schools program and Technical Assistance Center for schools determined to be in need of support to create positive school climates where every child feels safe and supportive and is treated with dignity and respect through the implementation of positive school climate frameworks, including Social, Emotional Learning, Restorative Practices and Trauma-Sensitive Schools;

NOW THEREFORE, be it hereby resolved that the Board of Regents reaffirms its commitment to continuing its efforts to ensure that all students have equitable access to learning opportunities in safe and supportive school environments free from discrimination, harassment and bias, including reducing dependence on exclusionary school discipline and increasing equity in education for all students.

ⁱ The New York Equity Coalition. (2018) *Stolen Time: New York State’s Suspension Crisis*. <https://s3-us-east-2.amazonaws.com/edtrustmain/wp-content/uploads/sites/5/2018/12/09090556/Stolen-Time.pdf>; Skiba, Arredondo & Rausch.

ⁱⁱ GLSEN. (2016). *Educational exclusion: Drop out, push out, and school-to-prison pipeline among LGBTQ youth*. New York: GLSEN <https://www.glsen.org/article/drop-out-push-out-school-prison-pipeline>

ⁱⁱⁱ Skiba, Arredondo & Rausch. (2014). *New and Developing Research on Disparities in Discipline*. http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/Disparity_NewResearch_Full_031214.pdf.

^{iv} Fabelo, T., M. D. Thompson, M. Plotkin, D. Carmichael, M.P. Marchbanks and E.A. Booth. (2011). *Breaking Schools’ Rules: A Statewide Study of How School Discipline Relates to Students’ Success and Juvenile Justice Involvement*. New York: Council of State Governments Justice Center. <http://knowledgecenter.csg.org/kc/content/breaking-schools-rules-statewide-study>.

^v Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79–101; Arum, R., & Beattie, I. (1999). High school experiences and the risk of adult incarceration. *Criminology*, 37(3),515–540.

^{vi} Rosenbaum, J. (2018). *Educational and Criminal Justice Outcomes 12 Years After School Suspension*. Youth & Society. <https://doi.org/10.1177/0044118X17752208>

^{vii} Hirschfield, P. J. (2008). Preparing for prison? The criminalization of school discipline in the USA. *Theoretical Criminology*, 12(1), 79–101; Arum, R., & Beattie, I. (1999). High school experiences and the risk of adult incarceration. *Criminology*, 37(3),515–540.

^{viii} *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline Policies*. Cambridge, MA: Civil Rights Project, Harvard University; (2000).

www.eric.ed.gov/ERICWebPortal/contentdelivery/servlet/ERICServlet?accno=ED454314.

^{ix} Shindler, J., Jones, A., Williams, A.D., Taylor, C., Cardenia, H. (2016). *The school climate-student achievement connection: If we want achievement gains, we need to begin by improving the climate*. *Journal of School Administration Research and Development* 1(1), 9-16.

^x American Psychological Association Zero Tolerance Task Force. (2008). *Are zero tolerance policies effective in schools? An evidentiary review and recommendations*. *American Psychologist*, 63(9), 852–862.

Motion by:
Seconded by:
Action: