



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: Christopher J. Halpin, Secretary *Christopher J. Halpin*
SUBJECT: Summary of the March 2022 Meeting
DATE: March 31, 2022
AUTHORIZATION(S): *Betty...*

SUMMARY

Issue for Decision

Should the Board of Regents approve the Summary of the March 2022 Meeting of the Board of Regents?

Reason(s) for Consideration

Not applicable.

Proposed Handling

This issue will come before the Full Board for action at its April 2022 meeting.

Procedural History

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

Background Information

Not applicable.

Related Regents Items

Not applicable.

Recommendation

Approval of the Summary of the March 2022 meeting.

VOTED, that the Summary of the March 2022 Meeting of the Board of Regents of The University of the State of New York be approved.

Timetable for Implementation

Effective April 12, 2022.



SUMMARY OF THE MARCH 2022 MEETING

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

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

March 14 and 15, 2022

***Christopher J. Halpin, 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 in Albany on Monday, March 14 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

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

Board Members in Attendance:

Lester W. Young, Jr., *Chancellor*
Josephine Victoria Finn, *Vice Chancellor*
Roger Tilles
Christine D. Cea
Wade S. Norwood
James E. Cottrell
Judith Chin
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler
Frances G. Wills
Ruth B. Turner
Aramina Vega Ferrer

Also present were Commissioner, Betty A. Rosa; Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, James Baldwin, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley; and Secretary, Board of Regents, Christopher J. Halpin. Regents Kathleen M. Cashin and Beverly L. Ouderkirk were absent and excused.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, March 15 at 10:10 am to discuss litigation and personnel matters.

Motion by: Vice Chancellor Josephine Victoria Finn
Seconded by: Regent Nan Eileen Mead
Action: Motion carried. Regent Norwood and Regent Turner were absent for the vote.

Election of Chancellor

The Board met in public session to elect its Chancellor for the period April 1, 2022 through March 31, 2025. The elections followed procedures adopted by the Board in June 2016. Daniel Morton-Bentley, Counsel, at the request of Chancellor Young, presided over the election process.

Regent Chin nominated current Chancellor Lester W. Young, Jr. and Regent Wills seconded the nomination. Comments in support of the nomination were made by both Regents, followed by the closing of the nominations.

MOVED, that nominations for Chancellor be closed.

Motion by: Regent James E. Cottrell
Seconded by: Regent Elizabeth S. Hakanson
Action: Motion carried unanimously.

MOVED, the nomination of Chancellor Lester W. Young, Jr. for the office of Chancellor.

Motion by: Regent Judith Chin
Seconded by: Regent Frances G. Wills
Action: Motion carried unanimously.

Daniel Morton-Bentley announced that Regent Lester W. Young, Jr. was unanimously elected Chancellor, the term of office to be April 1, 2022 through March 31, 2025.

Chancellor Young provided brief comments upon his reelection as Chancellor of the Board of Regents.

Election of Vice Chancellor

The Board met in public session to elect its Vice Chancellor for the period April 1, 2022 through March 31, 2025. The elections followed procedures adopted by the Board in June 2016. Daniel Morton-Bentley, Counsel, at the request of Chancellor Young, presided over the election process.

Regent Norwood nominated Vice Chancellor Josephine Victoria Finn. Regent Turner seconded the nomination.

Comments in support of the nomination were then made by Regent Norwood and Regent Turner followed by the closing of the nominations.

MOVED, that nominations for Vice Chancellor be closed.

Motion by: Regent James E. Cottrell
Seconded by: Regent Aramina Vega Ferrer
Action: Motion carried unanimously.

MOVED, the nomination of Vice Chancellor Josephine Victoria Finn for the office of Vice Chancellor.

Motion by: Regent Wade S. Norwood
Seconded by: Regent Ruth B. Turner
Action: Motion carried unanimously.

Daniel Morton-Bentley then polled the Board for their vote. Vice Chancellor Finn received a unanimous vote for the election of Vice Chancellor.

Vice Chancellor Finn provided brief remarks upon her reelection as Vice Chancellor of the Board of Regents.

Regent Cea provided a moment of reflection in recognition of Women's History Month and Disabilities Awareness Month.

Chancellor Young provided comments upon Regent Nan Eileen Mead's last meeting as a member of the Board of Regents.

P-12 EDUCATION COMMITTEE MEETING

The P-12 Education Committee held its scheduled meeting on March 14, 2022. (See P-12 Education Committee Report on page 13).

HIGHER EDUCATION COMMITTEE MEETING

The Higher Education Committee held its scheduled meeting on March 14, 2022. (See Higher Education Committee Report on page 13).

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES) COMMITTEE MEETING

The Adult Career and Continuing Education Services Committee held its scheduled meeting on Monday 14, 2022. (See Adult Career and Continuing Education Services Committee Report on page 12).

PROFESSIONAL PRACTICE COMMITTEE MEETING

The Professional Practice Committee held its scheduled meeting on March 15, 2022. (See Professional Practice Committee Report on page 17).

MEETING OF THE FULL BOARD, Tuesday, March 15 at 10:10 a.m.

Board Members in Attendance:

Lester W. Young, Jr., *Chancellor*
Josephine Victoria Finn, *Vice Chancellor*
Roger Tilles
Christine D. Cea
Wade S. Norwood
James E. Cottrell
Judith Chin
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler
Frances G. Wills
Ruth B. Turner
Aramina Vega Ferrer

Also present were Commissioner, Betty A. Rosa; Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, James Baldwin, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley; and Secretary, Board of Regents, Christopher J. Halpin. Regents Kathleen M. Cashin and Beverly L. Ouderkirk were absent and excused.

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.

**Supplemental Charter Applications
BR (A) 1 - SUPPLEMENTAL**

MOVED, that the Board of Regents approve each application in accordance with the recommendations contained in the supplemental summary table.

**Summary of the February 2022 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the February 2022 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Christine D. Cea
Seconded by: Regent James E. Cottrell
Action: Motion passed unanimously.

**State Education Department February 2022 Fiscal Report
BR (A) 3**

MOVED, that Board of Regents accept the February 2022 State Education Department Fiscal Report as presented.

Motion by: Regent Aramina Vega Ferrer
Seconded by: Regent Susan W. Mittler
Action: Motion passed unanimously.

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services (ACCES)

**Appointment to the New York State Rehabilitation Council
BR (CA) 1**

MOVED, that Julia Kelly, the newly designated New York State Office for People with Developmental Disabilities (OPWDD) representative, be appointed for an ongoing term beginning upon approval of the Board of Regents.

Cultural Education

**Proposed Amendment of Sections 185.5 and 185.15 and Repeal of Sections 185.11, 185.12, 185.13, and 185.14 of the Regulations of the Commissioner of Education and Repeal of Appendices H, I, J, K, and L and Addition of a Revised Appendix L Relating to Revising Records Retention and Disposition Schedule LGS-1 and Removing Superseded Records Retention and Disposition Schedules
BR (CA) 2**

MOVED, that sections 185.5 and 185.15 be amended, and sections 185.11, 185.12, 185.13, and 185.14 of the Regulations of the Commissioner of Education be repealed and appendices H, I, J, K, and L be repealed, and a revised appendix L be added, as submitted, effective March 30, 2022.

Higher Education

Proposed Amendment of Section 52.21 of the Regulations of the Commissioner of Education Relating to the Assessment Requirements for School District Leader (SDL) and School District Business Leader (SDBL) Program Completion, the Institutional Recommendation for Professional SDL and SDBL Certification, and the Institutional Recommendation Transitional D Certification BR (CA) 3

MOVED, that section 52.21 of the Regulations of the Commissioner of Education be amended, as submitted, as an emergency measure, effective April 11, 2022, upon a finding by the Board of Regents that such action is necessary for the preservation of general welfare to continue to exempt candidates enrolled in school district leader (SDL) and school district business leader (SDBL) programs from taking and passing the SDL and SDBL assessment, respectively, for program completion and the institutional recommendation for Professional certification and to exempt candidates enrolled in a Transitional D program from taking and passing the SDL assessment for the institutional recommendation for Transitional D certification, to provide continuity for SDL, SDBL, and Transitional D candidates until the proposed rule can be permanently adopted and to ensure that the emergency action taken at the January 2022 meeting remains continuously in effect.

Proposed Amendment of Section 80-1.1 of the Regulations of the Commissioner of Education Relating to the Definition of a Year of Experience for Permanent or Professional Certification BR (CA) 4

MOVED, that section 80-1.1(b)(47) of the Regulations of the Commissioner of Education be amended, as submitted, effective March 30, 2022.

Proposed Amendment of Section 80-1.8 of the Regulations of the Commissioner of Education Relating to the Requirements for the Reissuance of an Initial Certificate BR (CA) 5

MOVED, that section 80-1.8 of the Regulations of the Commissioner of Education be amended, as submitted, as an emergency measure, effective April 11, 2022, upon a finding by the Board of Regents that such action is necessary for the preservation of general welfare to immediately allow candidates to take the exam(s) required for the reissuance of their Initial certificate during the validity period of their Emergency COVID-19 certificate until the proposed rule can be permanently adopted and to ensure that the emergency action taken at the January 2022 meeting remains continuously in effect.

P-12 Education

**Petition of the City School District of the City of Gloversville for
Consent to Exceed the Constitutional Debt Limit
BR (CA) 6**

MOVED, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Gloversville in an amount not to exceed \$32,500,000, all of which will be in excess of the constitutional debt limit, for a capital project consisting of the reconstruction and renovation, in part, and the construction of improvements and upgrades to various school district buildings and facilities (and sites thereof), including the acquisition of new furnishings, equipment, machinery, or apparatus required for such buildings, in excess of the constitutional debt limit of said school district.

**Proposed Amendment of Section 100.5 of the Regulations of the Commissioner
of Education Relating to the January 2022 Administration of Regents
Examinations
BR (CA) 7**

MOVED, that section 100.5(a) of the Regulations of the Commissioner of Education be amended, as submitted, effective April 11, 2022, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare and public health to immediately provide regulatory flexibility in response to the cancellation of the January 2022 Regents examination administration due to the COVID-19 crisis so that students can still meet the diploma, credential, and endorsement requirements related to the passing of such examinations and to ensure that the emergency action taken at the January 2022 Regents meeting remains continuously in effect.

**Proposed Technical Amendment of Section 170.12 of the Regulations of the
Commissioner of Education Relating to School Districts' Exemption from the
Establishment of an Internal Audit Function
BR (CA) 8**

MOVED, that section 170.12 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 30, 2022.

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) 9**

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

**Report of the Committee on the Professions Regarding Licensing Petitions and Degree Conferrals
BR (CA) 10**

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

**Proposed Amendment of Section 63.9 of the Regulations of the Commissioner of Education Relating to the Administration of Immunizations by Pharmacists
BR (CA) 11**

MOVED, that section 63.9 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 11, 2022, as an emergency action, upon a finding by the Board of Regents that such an action is necessary for the preservation of the public health and general welfare in order to timely implement the requirements of Chapter 555 of the Laws of 2021, effective January 31, 2022, which supports access to immunization by expanding the kinds of immunizations which certified pharmacists may administer and to ensure that the emergency action taken at the January 2022 meeting remains continuously in effect.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent Ruth B. Turner
Seconded by: Regent Judith Chin
Action: Motion passed unanimously.

STANDING COMMITTEE REPORTS

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

The Adult Career and Continuing Education Services (ACCES) Committee held its scheduled meeting on March 14, 2022. All members were present, except for Regent Cashin, who was excused.

ACTION ITEM

Workforce Innovation and Opportunity Act (WIOA) 2020-2023 NYS WIOA Combined State Plan Two-Year Modification – The Committee recommends that the Board of Regents approve the two-year modification to the 2020-2023 NYS WIOA Combined State Plan. The motion passed.

MOTION FOR ACTION BY FULL BOARD

The ACCES Committee recommends, and we move, that the Board of Regents act affirmatively upon this recommendation in the written report of the Committee's deliberations at its meeting on March 15, 2022, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Student Empowerment Day 2022 – The Committee was provided with a presentation on the participation of Chancellor Young, Commissioner Rosa and Regent Cea in Student Empowerment Day on February 10, 2022. This was a virtual rally of over 400 participants in support of the Board of Regent's budget request for \$15 million in funding for the initiative on Enhancing Supports and Services for Post-Secondary Students with Disabilities. This initiative was recommended to the Board of Regents by the Advisory Council on Post-Secondary Outcomes for Students with Disabilities.

HIGHER EDUCATION

The Higher Education Committee held its scheduled meeting on March 14, 2022. All members of the Committee were present, except Regent Cashin, who was absent and excused.

MOTION FOR ACTION BY FULL BOARD

The 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 March 14, 2022, copies of which have been distributed to each member of the Board of Regents.

Matters Not Requiring Board Action:

Proposed Amendment to Section 52.21 of the Regulations of the Commissioner of Education Relating to the Admission Requirements for Graduate-level Teacher and Educational Leadership Programs - The Committee discussed proposed amendments to the Commissioner's Regulations relating to the admission requirements for graduate-level teacher and educational leadership programs, the proposed amendment will be presented to the Board for adoption at is July 2022 meeting. HE (D) 1

P-12 EDUCATION

The P-12 Education Committee held its scheduled meeting on March 14, 2022. All members were present, with the exception of Regent Cashin and Regent Ouder Kirk.

ACTION ITEMS

Renewal Recommendations for Charter Schools Authorized by the Board of Regents [P-12 (A) 1]

The Committee recommends that the Board of Regents finds that Global Community Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of Global Community Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2027.

The Committee recommends that the Board of Regents finds that Harlem Hebrew Language Academy Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of Harlem Hebrew Language Academy Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2025.

The Committee recommends that the Board of Regents finds that New Visions Charter High School for the Humanities IV: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of New Visions Charter High School for the Humanities IV and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2027.

The Committee recommends that the Board of Regents finds that REACH Academy Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can

demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of REACH Academy Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2027.

The Committee recommends that the Board of Regents finds that WHIN Music Community Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of WHIN Music Community Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2027.

The motion passed. There were no oppositions or abstentions.

Revision Recommendations for Charter Schools Authorized by the Board of Regents [P-12 (A) 2]

The Committee recommends that the Board of Regents finds that: (1) the Education Unlimited Lyceum Charter School meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the charter revision for Education Unlimited Lyceum Charter School and amends the provisional charter accordingly.

The Committee recommends that the Board of Regents finds that: (1) Renaissance Charter School 2 (The) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request

to amend the charter will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the charter revision for Renaissance Charter School 2 (The) and amends the provisional charter accordingly.

The motion passed. There were no oppositions or abstentions.

Proposed Amendments to Sections 200.5 and 200.21 of the Regulations of the Commissioner of Education Relating to Special Education Due Process System Procedures [P-12 (A) 3]

The committee recommends that section 200.5(j) and 200.21(a) of the Regulations of the Commissioner of Education be amended and section 200.5(o) of the Regulations of the Commissioner of Education be added, as submitted, effective March 29, 2022, 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 conform the Commissioner's regulations to Chapter 812 of the Laws of 2021 on its effective date.

The motion passed. There were no oppositions or abstentions.

MOTION FOR ACTION BY FULL BOARD

The P-12 Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the oral report of the Committee's deliberations at its meeting on March 15, 2022.

MATTERS NOT REQUIRING BOARD ACTION

Proposed Addition of Part 130 of the Regulations of the Commissioner of Education Relating to Substantially Equivalent Instruction for Nonpublic School Students [P-12 (D) 1]

Department staff discussed adopting a new Part 130 of the Regulations of the Commissioner of Education relating to nonpublic schools and substantially equivalent instruction for nonpublic school students.

Proposed Amendment of Subdivision (n) of Section 175.5 of the Regulations of the Commissioner of Education Relating to Extending the Instructional Hour COVID-19 Waiver to the 2022-2023 School Year [P-12 (D) 2]

Department staff presented the proposed amendment of subdivision (n) of section 175.5 of the Regulations of the Commissioner of Education relating to extending the instructional hour COVID-19 waiver to the 2022-2023 school year.

Proposed Amendments of Sections 200.1 and 200.4 of the Regulations of the Commissioner of Education Relating to the Disability Classification “Emotional Disturbance” [P-12 (D) 3]

Department staff presented the proposed amendments to sections 200.1 and 200.4 of the Regulations of the Commissioner of Education relating to the disability classification “emotional disturbance”.

Proposed Amendments to Sections 200.2 and 200.5 of the Regulations of the Commissioner of Education Relating to Special Education Due Process System Procedures [P-12 (D) 4]

Department staff presented the proposed amendments to sections 200.2 and 200.5 of the Regulations of the Commissioner of Education relating to Special Education Due Process System Procedures.

PROFESSIONAL PRACTICE

The Professional Practice Committee held its scheduled meeting on March 15, 2022. All members were present. Chancellor Lester W. Young, Jr., Regent Susan W. Mittler, and Regent Aramina Vega Ferrer also attended the meeting, but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

The 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 2 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 28 consent order applications and 3 surrender applications be granted.

These recommendations are made following the review of 33 cases involving seven registered professional nurses, six licensed practical nurses, two licensed practical nurses who are also registered professional nurses, one architect, one architecture professional corporation, one dentist, one licensed master social worker who is also a licensed clinical social worker, one licensed mental health counselor, one massage therapist, one midwife, one physical therapist, one professional engineer, one psychologist, one registered professional nurse who is also a nurse practitioner in Adult Health, one registered professional nurse who is also a nurse practitioner in Family Health, and one veterinarian.

Proposed Amendment to Sections 52.10, 72.1, 72.2, 72.3, 72.4 and 72.5 of the Regulations of the Commissioner of Education and Addition of Section 72.8 to the Regulations of the Commissioner of Education Relating to the Licensure, Exemption and Endorsement Requirements in the Profession of Psychology (Discussion and Action)

The proposed amendments and addition to the Commissioner's Regulations would conform New York State's licensure requirements with national standards and create a pathway for licensure by endorsement. These proposed changes would expedite the licensure application process and allow certain out-of-state psychologists to be licensed to practice in New York State and, most importantly, be held accountable for compliance with New York State laws that protect the public. The proposed amendment would also correct a citation to the Education Law regarding temporary authorization to practice in this State and eliminate the now obsolete provisions relating to supervised experience that was completed by an applicant prior to January 1, 1998.

MOTION FOR ACTION BY FULL BOARD

The 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 March 15, 2022, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

The Committee discussed several topics of interest, including:

- Deputy Commissioner's Report/Update
 - Full Board Consent Agenda Items
 - Board (Re)Appointments
 - Licensing Petitions/Conferral of Degrees
 - Proposed Amendment of Section 63.9 of the Regulations of the Commissioner of Education Relating to the Administration of Immunizations by Pharmacists (2nd Emergency Action)

Office of the Professions 2021 Annual Report (Discussion)

Department staff presented for discussion OP's Annual Report for 2021.

MOVED, that the Committee Reports be approved.

Motion by: Regent Elizabeth S. Hakanson

Seconded by: Regent James E. Cottrell

Action: Motion passed. Regent Catherine Collins voted to approve the committee reports, with the exception of the P-12

Education Committee items P-12 (A) 1 and P-12 (A) 2, on which she abstained.

Chancellor Young 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)
Cambridge Public Library	CE	Washington (Cambridge)	Amend charter to specify the number of trustees to be not less than seven nor more than eleven.
The Children's Museum at Saratoga	CE	Saratoga (Saratoga Springs)	Merge with "The Children's Museum of Science and Technology", an education corporation, with The Children's Museum at Saratoga as the surviving corporation.
Sing Sing Prison Museum	CE	Westchester (Katonah)	Extend provisional charter for five years.
Ascent: A School for Individuals with Autism	P12	Suffolk (Deer Park)	Extend provisional charter for three years.
Catholic School Region of Rockland	P12	New York (New York)	Amend charter to change school names for both the St. Anthony School and the St. Paul School to be "St. Anthony-St. Paul School".
Catskill Wheelhouse	P12	Greene (Catskill)	Amend charter to change the corporate address and add authority to operate grades 3 to 5.
The Hayground School	P12	Suffolk (Bridgehampton)	Extend provisional charter for three years.
Millbrook School	P12	Dutchess (Millbrook)	Amend charter to increase the maximum number of trustees to be 49.
Northern Academy of the Arts	P12	Orange (Middletown)	Amend charter to add authority to operate grades K to 5.
Concordia College	HE	Westchester (Bronxville)	Dissolve absolute charter and apply to Supreme Court for disposition of assets.

NEW YORK STATE BOARD OF REGENTS SUPPLEMENTAL CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Daemen College	HE	Erie (Snyder)	Amend charter to change the corporate name to “Daemen University”.
Excelsior College	HE	Albany (Albany)	Amend charter to change the corporate name to “Excelsior University” effective August 1, 2022.
Molloy College	HE	Nassau (Rockville Centre)	Amend charter to change the corporate name to “Molloy University” effective June 1, 2022.

Appendix II

REGENTS ACTIONS IN 33 PROFESSIONAL DISCIPLINE CASES MARCH 14 - 15, 2022

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 2 licenses and 1 certificate, and 29 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

I. SURRENDERS

Midwifery

Simone Memaniye Cinque; Midwife; Brooklyn, NY 11233-1014; Lic. No. 000801; Cal. No. 32445; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to identify high risk factors prior to homebirth for three patients, and failing to timely refer these patients to a hospital for care.

Nursing

Lisa Santiago; Registered Professional Nurse, Nurse Practitioner (Adult Health); New River, AZ 85087; Lic. No. 494355, Cert. No. 303568; Cal. Nos. 32887, 32888; Application to surrender license and to surrender certificate granted. Summary: Licensee admitted to the charge of prescribing the controlled drugs hydromorphone and oxymorphone, monthly, to a patient with multiple comorbidities and shortness of breath, in the State of Arizona.

Physical Therapy

Ahmed Mohamed Wahsh; Physical Therapist; Brooklyn, NY 11235; Lic. No. 037503; Cal. No. 31611; Found guilty of professional misconduct; Penalty: Revocation.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Akeeb Bamidele Shekoni; Architect; Jamaica, NY 11434; Lic. No. 028575; Cal. No. 32824; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$7,500 fine.

Askon Architect PC; Professional Services Corporation; Jamaica, NY 11434; Cal. No. 32825; Application for consent order granted; Penalty agreed upon: \$2,500 fine.

Dentistry

Suzanne B. Ahn; Dentist; Clifton Park, NY 12065; Lic. No. 044148; Cal. No. 30033; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Engineering, Land Surveying and Geology

Arnold F. Fleming; Professional Engineer; Mahwah, NJ 07430; Lic. No. 050411; Cal. No. 32522; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$10,000 fine.

Massage Therapy

Calvin Canales; Massage Therapist; Farmingdale, NY 11735-4335; Lic. No. 027107; Cal. No. 32808; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Mental Health Practitioners

Daphne C. Denis; Licensed Mental Health Counselor; Brooklyn, NY 11225-5449; Lic. No. 006266; Cal. No. 32862; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,500 fine.

Nursing

Liane Patrice Tomlinson; Licensed Practical Nurse; Hamburg, NY 14075-6407; Lic. No. 288884; Cal. No. 31091; Found guilty of professional misconduct; Penalty: 2 years actual suspension, upon return to practice, 2 years probation.

Brandy Marie Green a/k/a Brandy M. Green-Rookey; Registered Professional Nurse; Leicester, NY 14481; Lic. No. 720995; Cal. No. 31427; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 months stayed suspension, 1 year probation, \$500 fine.

Lucas Joseph Herrman; Registered Professional Nurse; Green Island, NY 12183; Lic. No. 673404; Cal. No. 32224; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$500 fine.

Michelle Lynne Jacobson; Registered Professional Nurse; Ontario, NY 14519-8848; Lic. No. 654285; Cal. No. 32495; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Arlethia Smith a/k/a Arlethia Delrio; Licensed Practical Nurse; Syracuse, NY 13206-1043; Lic. No. 257684; Cal. No. 32747; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Justin L. Mark; Registered Professional Nurse; Staten Island, NY 10312-2318; Lic. No. 636183; Cal. No. 32755; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Bruce W. Martin; Registered Professional Nurse; Rockville Centre, NY 11570; Lic. No. 636507; Cal. No. 32760; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

Lisa Marie Reeves; Licensed Practical Nurse; Rochester, NY 14621; Lic. No. 249545; Cal. No. 32764; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Sherri Lynn Hipkens-Viggiano; Registered Professional Nurse, Nurse Practitioner (Family Health); Auburn, NY 13021; Lic. No. 311637, Cert. No. 330481; Cal. Nos. 32771, 32772; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice in New York State, 2 years probation, \$500 fine.

Eileen Arnau; Registered Professional Nurse; Rochester, NY 14616-7461; Lic. No. 580806; Cal. No. 32784; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Alicia Sade Flood; Licensed Practical Nurse; Buffalo, NY 14211; Lic. No. 339239; Cal. No. 32796; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Tina Marie Fetty; Licensed Practical Nurse; Cairo, NY 12413; Lic. No. 265292; Cal. No. 32806; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until fit to practice, upon return to practice, 2 years probation.

Lauren Christine Keese; Registered Professional Nurse; Penfield, NY 14526-2021; Lic. No. 684957; Cal. No. 32807; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Marie Carmeline Rene; Licensed Practical Nurse, Registered Professional Nurse; Far Rockaway, NY 11691; Lic. Nos. 236170, 487908; Cal. Nos. 32811, 32812; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Marie Erica Mullings; Licensed Practical Nurse; Kingston, NY 12401; Lic. No. 332651; Cal. No. 32828; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Sheryl Anne Draper; Licensed Practical Nurse, Registered Professional Nurse; Hamlin, NY 14464; Lic. Nos. 270189, 697129; Cal. Nos. 32839, 32838; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Psychology

Lee Michael Vance; Psychologist; Watertown, NY 13601; Lic. No. 021263; Cal. No. 32795; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 2 years and until mentally fit to practice, upon return to practice, 2 years probation, \$500 fine.

Social Work

Janet M. Hundertmark; Licensed Master Social Worker, Licensed Clinical Social Worker; Leeds, NY 12451-1604; Lic. Nos. 079255, 080671; Cal. Nos. 32792, 32791; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Veterinary Medicine

Kenneth James Nicolson; Veterinarian; Yonkers, NY 10710; Lic. No. 006777; Cal. No. 32697; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,500 fine.