



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 April 2018 Meeting  
**DATE:** April 26, 2018  
**AUTHORIZATION(S):** *Margellen Ecia*

**Executive Summary**

**Issue for Decision**

Review of the Summary of the April 2018 Meetings of the Board of Regents.

**Proposed Handling**

Approval of the Summary of April 2018 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 April 2018 meetings.

**Timetable for Implementation**

Effective May 8, 2018.

**VOTED**, that the Summary of the April 2018 Meetings of the Board of Regents of The University of the State of New York be approved.



***SUMMARY OF THE APRIL 2018 MEETING***

***OF THE BOARD OF REGENTS***

***OF***

***THE UNIVERSITY OF THE STATE OF NEW YORK***

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

***April 9 and 10, 2018***

***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, April 9, 2018 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

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

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

Betty A. Rosa, Chancellor  
T. Andrew Brown, Vice Chancellor  
Roger Tilles  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
Kathleen M. Cashin  
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, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento.

Regent Ouderkirk was asked to provide thoughts for a moment of reflection and also introduced the "Focus of Our Work" video *Mindfulness in the North Country: Reducing Negative Impacts of Trauma and Poverty*.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session, Tuesday, Tuesday, April 10 at 10:40 a.m. to discuss litigation matters.

**Motion by:** Vice Chancellor T. Andrew Brown  
**Seconded by:** Regent Susan W. Mittler  
**Action:** Motion carried unanimously.

## **PRESENTATION**

### **Blue Ribbon Commission for the Arts**

Regent Tilles, Department staff and representatives from the Blue Ribbon Commission updated the Board of Regents regarding progress towards an Arts Pathway. (Attachment I).

Chancellor Betty A. Rosa adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, April 10, 2018 at 11:55 a.m.**

**Board Members in Attendance:**

Betty A. Rosa, Chancellor  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
Kathleen M. Cashin  
Josephine Victoria Finn  
Judith Chin  
Beverly L. Ouderkirk  
Catherine Collins  
Judith Johnson  
Nan Eileen Mead  
Elizabeth S. Hakanson  
Susan W. Mittler

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor T. Andrew Brown, Regents Roger Tilles, James E. Cottrell and Luis O. Reyes were absent and excused.

**ACTION ITEM**

**Charter Applications  
BR (A) 1**

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

**Supplemental Charter Action  
BR (A) 1 – SUPPLEMENTAL**

**MOVED**, that the Board of Regents approve the charter action in accordance with the recommendations contained in the supplemental summary table.

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

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

**Regents Monthly Meeting Dates, January – December 2019  
BR (A) 4**

**MOVED**, that the list of Regents meeting dates for the period January – December 2019 is approved.

**Motion by:** Regent Kathleen M. Cashin  
**Seconded by:** Regent Judith Chin  
**Action:** Motion carried 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 Angela Lockhart be appointed for an on-going term beginning April 10, 2018.

**MOVED**, that Bronce Perez Matos be appointed for an on-going term beginning April 10, 2018.

**MOVED**, that Lynn Thibdeau be appointed for an on-going term beginning April 10, 2018.

**Proposed Amendment of Section 100.7 of the Regulations of the Commissioner  
of Education Relating to a New Pathway to a New York State High School  
Equivalency Diploma  
BR (CA) 2**

**MOVED**, that clauses (a) and (b) of subparagraph (i) of paragraph (2) of subdivision (a) of §100.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 25, 2018.

**Higher Education**

**The City University of New York, New York City College of Technology: Regents  
Authorization to award the Bachelor of Fine Arts (B.F.A.) Degree  
BR (CA) 3**

**MOVED**, that the Board of Regents authorize The City University of New York, New York City College of Technology to award the Bachelor of Fine Arts (B.F.A.) degree to students successfully completing the registered Communication Design program.

**Holy Trinity Orthodox Seminary: Master Plan Amendment to Offer a Program leading to a Master of Divinity (M. Div.) in Theology Degree  
BR (CA) 4**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize Holy Trinity Orthodox Seminary to offer a program in Theology leading to the M.Div. degree. The amendment will be effective until April 2019, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

**State University of New York College of Technology at Delhi, Delhi campus:  
Master Plan Amendment to offer a program leading to the Bachelor of Science (B.S.) in Criminal Justice Degree  
BR (CA) 5**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize the State University of New York College of Technology at Delhi to offer a program in Criminal Justice, its first baccalaureate level program in the discipline area of the Social Sciences at the Delhi campus. The amendment will be effective until April 2019, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Proposed Amendment to Section 52.21 of the Regulations of the Commissioner of Education Relating to Graduate Admission Examination Requirements to Implement Chapter 454 of the Laws of 2017  
BR (CA) 6**

**MOVED**, that §52.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 24, 2018, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to immediately adopt the proposed amendment to timely implement the changes to Education Law §210-a and to ensure that the rule 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) 7**

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

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 8**

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

**Proposed Amendment of Section 29.7 of the Rules of the Board of Regents and Section 63.6 of the Regulations of the Commissioner of Education Relating to the Unprofessional Conduct Special Provisions and the Requirements for Substituting Interchangeable Biological Products for Prescribed Products in the Profession of Pharmacy  
BR (CA) 9**

**MOVED**, that subdivision (a) of §29.7 of the Rules of the Board of Regents and paragraph (7) of subdivision (a) and clause (c) of subparagraph (ii) of paragraph (8) of subdivision (b) of §63.6 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 25, 2018.

**Regents Permission to Operate in New York State: Vermont Technical College  
BR (CA) 10**

**MOVED**, that the Regents approve the proposed renewal for permission to operate, effective April 2018, which authorizes Vermont Technical College to use two clinical agencies in New York for clinical education of students enrolled in its Nursing program leading to the Associate of Science degree.

**P-12 Education**

**Petition of the City School District of the City of Schenectady for Consent to Exceed the Constitutional Debt Limit  
BR (CA) 11**

**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 Schenectady in the a total amount not to exceed \$72,500,000 for the reconstruction and constructions of additions to and other improvements of various school buildings, including equipment, furnishings, machinery, and apparatus as well as site improvements and incidental costs, and for the construction of improvements at the Central Park School, including incidental costs and expenses in connection therewith, in excess of the constitutional debt limit of said school district.

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

**Motion by:** Regent Catherine Collins  
**Seconded by:** Regent Elizabeth S. Hakanson  
**Action:** Motion carried unanimously.

## **STANDING COMMITTEE REPORTS**

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

Your Adult Career and Continuing Education Services (ACCES) Committee held its scheduled meeting on April 10, 2018. All members were present, with the exception of Regent Reyes and Regent Tilles, who were excused.

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

Proposed Amendment of Part 126 of the Regulations of the Commissioner of Education Relating to the Operation of Licensed Private Career Schools – Your committee discussed amending Part 126 of the Commissioner’s regulations to: add a new section, 126.10(k), to implement Education Law 5001(4)(f)(3) to establish alternative licensing procedures for non-profit licensed career schools that are exempt from taxations and whose programs are funded exclusively through donations; amend section 126.6 to make a technical correction to allow for electronic submissions due to technological advancements since the statute was originally enacted; and, amend section 126.7 to make a technical correction to allow a licensed private career school to include as part of its enrollment agreement the ability to withhold a diploma, certificate, or other document evidencing satisfactory program or course completion. The proposed amendment will be presented to the Board of Regents for permanent adoption at the July 2018 meeting, and will become effective as a permanent rule on August 1, 2018.

### **CULTURAL EDUCATION**

Your Committee on Cultural Education had its scheduled meeting on April 9, 2018. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report.

In attendance were committee members: Regent Tilles, Chair Regent Cea, Regent Cottrell Regent Chin, Regent Johnson, Regent Ouderkirk and Regent Mead. Regents, in addition to CE Committee Members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regent Hakanson, Regent Collins, Regent Cashin, Regent Finn, Regent Mittler, Regent Young, Regent Norwood, and Regent Reyes. Also in attendance were Commissioner Elia, Executive Deputy Commissioner Berlin, and Counsel and Deputy Commissioner for Legal Affairs Alison Bianchi.

### **ITEMS FOR DISCUSSION**

Chair’s Remarks: Regent Tilles welcomed everyone and introduced Deputy Commissioner Mark Schaming. Deputy Commissioner Schaming provided a brief report on Office of Cultural Education news and activities. Today, Lieutenant Governor Hochul presented the Museum Association of New York award of merit to the New York State Museum for the Votes for Women exhibition. State Museum historian and exhibition co-curator Ashley Hopkins-Benton accepted the award on the museum’s behalf. Deputy

Commissioner Schaming noted Archaeologist from the New York State Museum will begin excavating at the Van Schaick Mansion in Cohoes as part of the Archaeology of Slavery in the Hudson River project that began in 2015. On Monday March 5, Joost Taverne, the Cultural Attache from the Dutch Consulate visited and viewed New Netherland Early Dutch collections. It was an important tour and discussion as the Office of Cultural Education plans galleries, curate collections, and host researchers in the coming months. The State Archives received a small grant from the National Archives to provide funds to historical records repositories statewide to implement the recommendations of needs assessments conducted by the Documentary Heritage Program. Lastly, tonight at 6:30 p.m., the Office of Cultural Education will proudly welcome Kathryn K. Matthew, Director of the Institute of Museum and Library Services (IMLS), to launch the State Library's Bicentennial Celebration.

### **Educational Programs at the Office of Cultural Education [CE (D) 2]**

Department staff and an educator from Fort Plain Central School District shared information on how, by combining resources, the Office of Cultural Education (OCE) is supporting the increasing needs of educators and students throughout New York State. By creating programming, professional development opportunities, and outreach initiatives that provide a depth of content and diverse viewpoints on specific standards-based topics this unified approach is helping the education community see: the connection between all the entities of OCE; the positive impact cultural resources have on student achievement, and how using cultural resource with students helps students meet state education standards.

### **Proposed Amendments of §90.2 and §90.16 of Commissioner's Regulations [CE (D) 1]**

State Library staff discussed the proposed amendments of §90.2 and §90.16 of the Commissioner's regulations. Proposed amendments of §90.2 are needed to update and clarify certain terminology related to Standards for Registration of Public, Free Association and Indian Libraries. Proposed amendments of §90.16 of the Commissioner's regulation to implement Education Law §273 (7), as amended by Chapter 362 of the Laws of 2013 relating to the Conservation and Preservation of Library Research Materials. Following the 60-day public comment period, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption as a permanent rule at the July meeting. If adopted at the July meeting, the proposed amendment will become effective as a permanent rule on August 1, 2018.

## **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on April 10, 2018. All members were present with the exception of Vice Chancellor Brown and Regent Tilles.

### **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 April 10, 2018, copies of which have been distributed to each member of the Board of Regents.

## **Matters Not Requiring Board Action:**

### **Update on TeachNY**

Your Committee was provided with an update on the TeachNY initiative. TeachNY began with a grant by the Department to SUNY to convene a group of State and national experts to set a bold new course for educator preparation in New York. After the group of experts – the TeachNY Advisory Council – released its recommendations, Commissioner Elia was part of a statewide listening tour to solicit feedback from over 1,000 practitioners. A Statewide Roundtable was convened to consider policy options, and that group's work is the model for a national Teacher Table initiative. New York will be the second state to launch a Teacher Table and we are currently working with stakeholders to select a diverse group of practitioners to serve on the Table, which will launch this month.

### **Proposed Amendment to Sections 80-3.3 and 80-3.7 of the Regulations of the Commissioner of Education to Allow Individual Evaluation for Certain Certificate Titles in the Classroom Teaching Service**

Your Committee discussed a proposed amendment to the Commissioner's Regulations to allow individual evaluation for certain certificate titles in the classroom teaching service. Due to teacher shortages in New York State, the Department is proposing an amendment to reinstate individual evaluation for the following certificate titles: Early childhood education (birth-grade 2); Childhood education (grades 1-6); Generalist in middle childhood education (grades 5-9); English language arts (grades 5-9); English language arts (grades 7-12); Literacy (birth-grade 6); and Literacy (grades 5-12). This amendment would create larger pools of qualified teachers for school district hiring. Following the 60-day public comment period, it is anticipated the proposed amendment would be presenting to the Board for adoption at its July 2018 meeting.

### **Consent Agenda**

The Board of Regents acted on the following consent agenda items at the April 2018 meeting.

- **The City University of New York, New York City College of Technology: Regents Authorization to Award the Bachelor of Fine Arts (B.F.A.) Degree** – The Board authorized The City University of New York, New York City College of Technology to award the Bachelor of Fine Arts degree to students successfully completed the registered Communication Design program.
- **Holy Trinity Orthodox Seminary: Master Plan Amendment to Offer a Program Leading to a Master of Divinity (M.Div.) in Theology Degree** – The Board approved a master plan amendment to authorize Holy Trinity Orthodox Seminary to offer a program in Theology leading to the M.Div. degree.

- **State University of New York College of Technology at Delhi, Delhi Campus: Master Plan Amendment to Offer a Program Leading to the Bachelor of Science (B.S.) in Criminal Justice Degree** – The Board approved a master plan amendment to authorize the State University of New York College of Technology at Delhi to offer a program in Criminal Justice.
- **Proposed Amendment to Section 52.21 of the Regulations of the Commissioner of Education Relating to Graduate Admission Examination Requirements to Implement Chapter 454 of the Laws of 2017** – Due to the 60-day public comment period required under the State Administrative Procedure Act, emergency action by the Board of Regents is necessary to timely implement the changes to Education Law § 210-a and to ensure that the emergency rule adopted at the January Regents meeting remains continuously in effect until it can be adopted as a permanent rule by the Board of Regents at its May 2018 meeting.

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on April 9, 2018. All members were present.

### **ACTION ITEMS**

#### **Superintendent Determination Option for Certain Students with Disabilities to Graduate with a Local Diploma [P-12 (A) 2]**

Your Committee recommends that the emergency action taken at the February 2018 Board of Regents meeting to amend paragraph (12) of subdivision (d) of §100.5 of the Regulations of the Commissioner of Education, is rescinded, effective April 24, 2018 and that paragraph (12) of subdivision (d) of §100.5 of the Regulations of the Commissioner of Education and subclause (3) of clause (a) of subparagraph (ix) of paragraph (2) of subdivision (d) of §200.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 25, 2018, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that certain students with disabilities who are graduating from high school in January 2018 and thereafter are aware that they may be considered an eligible student for the superintendent determination option if they meet the requirements of the proposed rule. It is also necessary to ensure that superintendents are on notice that they must, upon the written request of a parent or guardian, make a determination as to whether certain students with disabilities are eligible for a local diploma, if the student meets the requirements of the proposed rule.

#### **Minimum Instruction Requirement for State Aid [P-12 (A) 5 - REVISED]**

A motion to amend regulations as presented in the item was moved by Regent Collins and seconded by Regent Norwood. Regent Collins withdrew her motion.

The new motion moved by Vice Chancellor Brown and seconded by Regent Tilles is as follows:

Your Committee recommends that §§175.2 and 175.5 of the Regulations of the Commissioner of Education, be amended as submitted, effective July 1, 2018, to ensure that school districts and applicable unions can set their calendars for the 2018-2019 school year and complete any collective bargaining negotiations necessary to comply with the new requirements of the proposed amendment and that the Board directs the Commissioner to work with individual school districts to address specific concerns as they transition to implement the regulation.

Regent Johnson was in opposition. Regents Collins and Mittler abstained. The motion passed.

### **Implementation of New York State's Approved Every Student Succeeds Act (ESSA) Plan [P-12 (A) 6]**

Your Committee recommends that Department staff is directed to finalize and file the proposed amendments to sections 100.2(ff), 100.2(m), 100.18, 100.19 and Part 120 of the Commissioner's Regulations and the addition of a new section 100.21 of the Commissioner's Regulations with the Department of State for publication in the State Register, consistent with the State's USDE-approved ESSA plan as described herein.

### **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 April 10, 2018, copies of which have been distributed to each Regent.

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

#### **Senior Deputy Commissioner's Report**

- Senior Deputy Commissioner Jhone Ebert discussed the release of the English language arts (ELA) and mathematics standards three-year implementation Roadmap. The Roadmap was designed to assist and support districts and educators with the transition to full-implementation of the Next Generation Learning Standards over the next three years.
- Overview and FAQ document provides a brief overview of the Roadmap and responses to the most frequent questions asked regarding the Roadmap.
- At a Glance Flyer was developed as a stand-alone document that could be distributed to inform all stakeholders on the rollout and implementation of the Next Generation Learning Standards and summarize the next three years.

## **Consent Agenda**

The Board of Regents will take action on the following consent agenda item at their April 10, 2018 meeting.

- Petition of the City School District of the City of Schenectady for Consent to Exceed the Constitutional Debt Limit.

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

Your P-12 Education and Higher Education Committees held their scheduled meeting on April 10, 2018. All members were present, except for Vice Chancellor Brown and Regent Tilles, who were excused.

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

#### **Grade-Level Extensions for Certain Candidates who hold a Students with Disabilities Generalist Teaching Certificate [P-12/HE (D) 1]**

The Committees discussed proposed amendments to regulations relating to grade-level extensions for certain candidates who hold a Students with Disabilities Generalist certificate. Discussion focused on the four different extension certificates proposed for current holders of Students with Disabilities Generalist certificates. By extending the grade bands in which qualified teachers of students with disabilities may teach, the Department believes this will help to address the shortage of teachers of students with disabilities. Following the 60-day public comment period, several comments were made on the proposed amendment previously discussed in December 2017. In response to those comments and other comments received from the field, the Department recommends making additional revisions to add an extension for teachers holding a Students with Disabilities Generalist certificate in grades 5-9. It is anticipated that the proposed amendment will be presented to the Board of Regents for adoption at its May 2018 meeting.

#### **Creation of Limited Extensions for Teachers Holding a Students with Disabilities Generalist Certificate Who Teach a Special Class in Grades 7-12 and a Statement of Continued Eligibility for Teachers Holding a Students with Disabilities Generalist Certificate Who Teach a Special Class in Grades 7- 12 and Were Previously Allowed to Teach in Another Content Area by School Districts Using the HOUSSE Rubric for Federal Aid Purposes under the No Child Left Behind Act [P-12/HE (D) 2]**

The Department is proposing two options for teachers who hold the students with disabilities generalist in grades 7- 12 certificate and are assigned to teach special classes, but do not hold the specific subject area certificate(s). 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 July 2018 meeting.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on April 10, 2018. All Committee members were present.

### **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 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 43 consent order applications and 10 surrender applications be granted, with Regent Wade S. Norwood abstaining in one of those consent applications (Cal. No.30064) and Regent Catherine Collins abstaining in another one of those consent applications (Cal. No. 29842).

In the case of Seth G. Kohl, Chiropractor, Calendar No. 30120, we recommend that the joint application by both petitioner and respondent in this matter to amend the Application to Surrender respondent's License that was previously submitted to the Board of Regents and granted by the Board of Regents on February 13, 2018 be granted, said previously submitted Application to Surrender License be deemed amended, on the consent of both parties, to show that respondent's correct license number is "005269" and to delete the reference in such submitted Application to license number "005259", said previously submitted Application by respondent to Surrender his License otherwise remains in effect, the Vote & Order dated February 13, 2018 regarding respondent shall continue to be effective, and the Vote & Order of the Deputy Commissioner to be issued herein shall be effective nunc pro tunc on and as of the effective date of the Vote and Order that was issued with respect to the February 13, 2018 determination of the Board of Regents in this matter.

These recommendations are made following the review of 57 cases involving fourteen licensed practical nurses, twelve registered professional nurses, seven licensed practical nurses who are also registered professional nurses, two certified public accountants, one acupuncturist, one acupuncture professional limited liability company, one architect, one certified athletic trainer, one dentist who also has a dental enteral conscious sedation certificate, one massage therapist, one physical therapist, one public accountancy partnership, one registered professional nurse who is also a nurse practitioner (Family Health), one registered professional nurse who is also a nurse practitioner (Psychiatry), one respiratory therapy technician, and one veterinarian.

## **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 April 10, 2018, 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
- Licensing Petitions
- Board (Re)Appointments
- Permission to Operate – Vermont Technical
- Proposed Amendment of §29.7 of the Rules of the Board of Regents and §63.6 of the Commissioner's Regulations Relating to the Unprofessional Conduct Special Provisions in the Profession of Pharmacy and the Requirements for Substituting Interchangeable Biological Products for Prescribed Products

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

**Motion by:** Regent Susan W. Mittler  
**Seconded by:** Regent Catherine Collins  
**Action:** Motion carried unanimously.

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

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

**Motion by:** Regent Wade S. Norwood  
**Seconded by:** Regent Beverly L. Ouder Kirk  
**Action:** Motion carried unanimously.

Chancellor Rosa adjourned the meeting.

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

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
The Harpersfield Historical Society	CE	Delaware (Harpersfield)	Extend provisional charter for five years.
Livingston Manor Free Library	CE	Sullivan (Rockland)	Amend charter to specify the number of trustees to be not less than nine nor more than fifteen and trustee term length to be three years.
North Chatham Free Library	CE	Columbia (Chatham)	Amend charter to specify the trustee term length to be three years.
Russian History Foundation	CE	Herkimer (Jordanville)	Consent to filing of certificate of assumed name "Russian History Museum".
Catholic School Region of Manhattan	P12	New York (New York)	Amend charter to delete school location, St. Gregory the Great School.
Catholic School Region of the Northeast/East Bronx	P12	New York (New York)	Amend charter to delete school location, St. Mary School.
Catholic School Region of Ulster/Orange/Sullivan	P12	New York (New York)	Amend charter to delete school location, St. Joseph School.
Islamic Cultural Center School	P12	New York (New York)	Grant provisional charter for three years.
St. Stanislaus Kostka Catholic Academy of Queens	P12	Queens (Maspeth)	Grant provisional charter for three years.
Holy Trinity Orthodox Seminary	HE	Herkimer (Jordanville)	Amend charter to add authority to confer the Master of Divinity (M.Div.) degree.

Optometric Center of New York	HE/OP	New York (New York)	Merge with The Benjamin Franklin Society and The Alumni Association of the State of College of Optometry, State University of New York” with Optometric Center of New York as the surviving corporation.
Touro College	HE	New York (New York)	Amend charter to remove the Huntington, NY branch campus and include the Central Islip, NY branch campus.

**SUPPLEMENTAL CHARTER ACTION**

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
The Winchendon School - Brooklyn	P12	Kings (Brooklyn)	Grant a provisional charter for one year.

## **Appendix II**

### **REGENTS ACTIONS IN 57 PROFESSIONAL DISCIPLINE CASES APRIL 9 - 10, 2018**

The Board of Regents announced disciplinary actions resulting in the revocation of 2 licenses, surrender of 9 licenses and 1 certificate, and 45 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

#### **I. REVOCATION AND SURRENDERS**

##### **Athletic Training**

Sean Christophe McGuire; Certified Athletic Trainer; Buffalo, NY 14208; Cert. No. 002405; Cal. No. 30094; Application to surrender certificate granted. Summary: Licensee admitted to the charge of having been convicted of Driving While Intoxicated.

##### **Massage Therapy**

Douglas C. Maloy; Massage Therapist; Warren, PA 16365; Lic. No. 006126; Cal. No. 30302; Application to surrender license granted. Summary: Licensee did not contest the charge of moral unfitness.

##### **Nursing**

Miguel Sosa Castillo a/k/a Miguel Castillo; Licensed Practical Nurse, Registered Professional Nurse; Ellenville, NY 12428; Lic. Nos. 252972, 517740; Cal. Nos. 29759, 29758; Found guilty of professional misconduct; Penalty: Revocation.

Tiffany Ann DeMayo; Licensed Practical Nurse; Accord, NY 12404; Lic. No. 319871; Cal. No. 29825; Application to surrender license granted. Summary: Licensee did not contest charges of Aggravated Driving While Intoxicated, and abandoning a patient under and in need of immediate professional care.

Hyang-Suk Kang a/k/a Hyang-Suk Won a/ka Hyang-Suk Kang Won a/k/a Hyang-Suk Kang Kim; Licensed Practical Nurse, Registered Professional Nurse; Milford, DE 19963-2108; Lic. Nos. 230719, 457508; Cal. Nos. 30191, 30192; Application to surrender licenses granted. Summary: Licensee admitted to charges of removing a controlled substance medication intended for a patient and administering said medication to another person without a prescription or other authorization and documenting the administration of medication in a patient medical chart which was not administered.

Tamara Louise Roberts a/k/a Tamara Dixon; Registered Professional Nurse; Goodyear, AZ 85395-2664; Lic. No. 397428; Cal. No. 30259; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to answer truthfully and

completely during the Oregon State Board of Nursing's investigation into her professional conduct as a nurse.

Luann Kreider Lavin; Registered Professional Nurse; Scottsdale, AZ 85262-8024; Lic. No. 572477; Cal. No. 30276; Application to surrender license granted. Summary: Licensee did not contest the charge of accessing a confidential prescription database in order to review health information of several patients who were no longer in her care and after being questioned about her prescribing practices with regard to said patients.

Tiffany Diane Wilburn a/k/a Tiffany Diane Bower a/k/a Tiffany Diane Kolb a/k/a Tiffany Diane Turner; Licensed Practical Nurse; Granbury, TX 76048-5815; Lic. No. 248597; Cal. No. 30362; Application to surrender license granted. Summary: Licensee did not contest the charge of pulling off a dressing, located in a patient's left labial fold area, in one swift motion, causing a tear in the skin where a blister had formed under the dressing.

Candice Nicole Hough; Licensed Practical Nurse; Goodyear, AZ 85395; Lic. No. 287752; Cal. No. 30370; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Theft of Property in the State of Arizona, a class 1 misdemeanor; Shoplifting in the State of Arizona, a class 1 misdemeanor; Criminal Possession of a Forgery Device in the State of Arizona, a class 6 Felony; Criminal Possession of a Forgery Device in the State of Arizona, a class D Felony; Petit Larceny, a class A misdemeanor; Shoplifting in the State of Arizona, a class 1 misdemeanor; and Burglary in the 2<sup>nd</sup> Degree in the State of Arizona, a class 3 Felony.

### **Physical Therapy**

Angela Maria Ciminiello; Physical Therapist; Prescott, AZ 86303; Lic. No. 003561; Cal. No. 30224; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to complete the required continuing professional education credits as a condition for biennial license renewal of her license to practice as a physical therapist in the State of Arizona.

## **II. OTHER REGENTS DISCIPLINARY ACTIONS**

### **Acupuncture**

Wilton Valerio; Acupuncturist; New York, NY 10003; Lic. No. 003979; Cal. No. 30090; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 30 months stayed suspension, 3 years probation, \$1,000 fine.

Valerio Acupuncture, P.L.L.C.; New York, NY 10128; Cal. No. 30131; Application for consent order granted; Penalty agreed upon: \$1,000 fine payable within 60 days.

## **Architecture**

Scott Lee Alexander; Architect; Rochester, NY 14626; Lic. No. 014867; Cal. No. 30064; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

## **Dentistry**

Philip Laurence Epstein; Dentist, Dental Enteral Conscious Sedation; Fulton, NY 13069; Lic. No. 042872, Cert. No. 000387; Cal. Nos. 29925, 29926; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,500 fine.

## **Nursing**

James Amador Schembri; Registered Professional Nurse; Garden City, NY 11530; Lic. No. 604696; Cal. No. 29117; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Martha C. Smith-Lightfoot; Registered Professional Nurse, Nurse Practitioner (Adult Health); Sodus Point, NY 14555; Lic. No. 411479, Cert. No. 300857; Cal. Nos. 29487, 29488; Application for consent order granted; Penalty agreed upon: 12 months actual suspension, 12 months stayed suspension, 2 years probation to commence upon return to practice.

Shelly Anne Annas; Licensed Practical Nurse; Ballston Spa, NY 12020; Lic. No. 242324; Cal. No. 29618; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Judy S. Flynn a/k/a Judy Hart Crahan; Licensed Practical Nurse, Registered Professional Nurse; Syracuse, NY 13203; Lic. Nos. 180398, 444354; Cal. Nos. 29628, 29629; Found guilty of professional misconduct; Penalty: Suspension for no less than 30 days and until alcohol abuse-free and fit to practice, 2 years probation to commence subsequent to termination of suspension and upon actual return to practice.

Heather Marie Dupell; Licensed Practical Nurse; Fort Lauderdale, FL 33334-5841; Lic. No. 280315; Cal. No. 29677; 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 in the State of New York, \$500 fine payable within 4 months.

Karen Lynn Malcomson; Registered Professional Nurse, Nurse Practitioner (Psychiatry); Mattituck, NY 11952; Lic. No. 208247, Cert. No. 400251; Cal. Nos. 29699, 29700; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$1,500 fine payable within 60 days.

Juanita Charise Graves; Licensed Practical Nurse; Buffalo, NY 14215; Lic. No. 264876; Cal. No. 29842; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Lindsay Nicole Salatino; Registered Professional Nurse; Fairport, NY 14450; Lic. No. 718932; Cal. No. 29899; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine to commence upon return to practice.

Mary Spano-Cody; Licensed Practical Nurse; Stanfordville, NY 12581-5532; Lic. No. 264562; Cal. No. 29987; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Amanda Corrisa Kalish; Registered Professional Nurse; Rochester, NY 14622; Lic. No. 691847; Cal. No. 30049; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Marie C. Roche; Licensed Practical Nurse, Registered Professional Nurse; Westbury, NY 11590; Lic. Nos. 160043, 376486; Cal. Nos. 30052, 30053; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation.

Kacie A. Hansen; Licensed Practical Nurse; Elmira, NY 14904; Lic. No. 323571; Cal. No. 30077; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Caryl Ann Cousins; Licensed Practical Nurse; Copenhagen, NY 13626; Lic. No. 263045; Cal. No. 30097; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Celeste Nwanna; Registered Professional Nurse; Vineland, NJ 08361; Lic. No. 560360; Cal. No. 30100; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation, \$2,500 fine.

Susan Marie Alonge a/k/a Susan Marie Hollenbeck; Licensed Practical Nurse, Registered Professional Nurse; Amherst, NY 14228; Lic. Nos. 181945, 390621; Cal. Nos. 30115, 30116; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation to commence upon return to practice.

Roxana Ossenfort; Registered Professional Nurse; Centereach, NY 11720; Lic. No. 552435; Cal. No. 30134; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Mark Jonathan Garrand; Licensed Practical Nurse; Plattsburgh, NY 12903; Lic. No. 307403; Cal. No. 30137; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Susan E. Weber; Licensed Practical Nurse, Registered Professional Nurse; Lindley, NY 14858; Lic. Nos. 263946, 553420; Cal. Nos. 30168, 30169; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Kevin Dale Lamphere; Licensed Practical Nurse, Registered Professional Nurse; Syracuse, NY 13204; Lic. Nos. 151927, 431902; Cal. Nos. 30177, 30178; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Jeanine A. Lauricella; Licensed Practical Nurse; Niagara Falls, NY 14304; Lic. No. 259565; Cal. No. 30179; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Lenette Montante Usselman; Registered Professional Nurse; Webster, NY 14580; Lic. No. 200009; Cal. No. 30180; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Elzbieta Worwa-Stepniowski; Registered Professional Nurse; Phoenix, AZ 85048; Lic. No. 560658; Cal. No. 30183; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$500 fine payable within 30 days.

Aprile Lynn Lynch; Licensed Practical Nurse; Herkimer, NY 13350; Lic. No. 281455; Cal. No. 30187; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Marie E. Dempsey; Registered Professional Nurse; Staten Island, NY 10306; Lic. No. 494376; Cal. No. 30206; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Anita Lynn Corrado; Licensed Practical Nurse; Catskill, NY 12414-5811; Lic. No. 308161; Cal. No. 30250; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, upon return to practice 2 years probation.

Michele Renee Davis; Licensed Practical Nurse; Averill Park, NY 12018-5434; Lic. No. 313029; Cal. No. 30273; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice 2 years probation.

Christina Cecilia Chan; Registered Professional Nurse; San Bruno, CA 94066; Lic. No. 545309; Cal. No. 30421; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, upon return to practice in the State of New York, 2 years probation, \$500 fine payable within 30 days.

Kathleen M. Ottens; Registered Professional Nurse; Warwick, NY 10990; Lic. No. 376530; Cal. No. 30433; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 30 days and until successful participation in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation, \$500 fine payable within 1 month.

### **Public Accountancy**

Richard Alden Whitson; Certified Public Accountant; Rochester, NY 14607; Lic. No. 090346; Cal. No. 30119; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice 2 years probation, \$500 fine payable within 3 months.

Sejong LLP; Public Accountancy Partnership; Fort Lee, NJ 07024; Cal. No. 30212; Application for consent order granted; Penalty agreed upon: \$5,000 fine payable within 2 months.

Jason Robert Gross; Certified Public Accountant; Bellmore, NY 11710-3447; Lic. No. 094094; Cal. No. 30268; Application for consent order granted; Penalty agreed upon: 9 months actual suspension, 15 months stayed suspension, 2 years probation, \$750 fine.

### **Respiratory Therapy**

Philip Harrison Clarke; Respiratory Therapy Technician; Brockport, NY 14420; Lic. No. 004455; Cal. No. 30159; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

### **Veterinary Medicine**

Wael Abdelfatah Zahran; Veterinarian; Flushing, NY 11358; Lic. No. 008856; Cal. No. 29736; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.



# ATTACHMENT I

## NYS Arts Update

New York State Learning Standards for the



TOGETHER WE • CREATE • PRESENT  
PERFORM • RESPOND • CONNECT  
PRODUCE

**Board of Regents**

April 9, 2018

# NYS Milestones for the Arts

- In **January 2015** the Board of Regents amended sections 100.2 and 100.5 of the Commissioner's Regulations to implement the 4+1 Pathways to graduation option allowing students to meet the requirements for a diploma in different ways. The amendment created graduation pathways assessments in the Humanities, STEM, Biliteracy, CTE and **the Arts**.
- In **2015** the Department established the Blue Ribbon Commission on the Arts to assist in identifying and recommending comparably rigorous assessments available to students pursuing a graduation pathway in the arts.

# NYS Milestones for the Arts

- In **March 2016**, the AP and IB assessment options were approved by the Commissioner for the Arts Pathway as a first step. However, many schools in NYS do not offer AP and IB arts courses and assessments. In addition, these courses are generally for students who are advanced in the arts, meaning 3-5 unit sequence arts majors generally are most prepared to take these assessments.
- In **April 2016** the Department called for teams of arts educators in dance, music, theater, visual and media arts to develop new learning standards for the arts over the coming summer.

# NYS Milestones for the Arts

- In **April 2017**, the Board of Regents approved the NYS Strategic Plan for the Arts that includes a detailed report on the work of the Blue Ribbon Commission and the National Arts Assessment Experts.
- In **July 2017**, the Office of State Assessment (OSA) assigns staff to assist in the Blue Ribbon Commission's work. OSA reviews the Commission's Report along with the NYSED's Commencement General Education (C-GEL) arts assessments in dance, music, theater, and visual arts. A technical report of the assessments is produced.
- In **September 2017**, the Regents approved the new PK-12 NYS Learning Standards for the Arts.
- In **November 2017**, the Arts CAP met to develop roadmaps for the arts & assist with the professional development of new arts standards.



## **NYS Arts Standards Implementation Timeline**

- **Fall 2017**
  - Board of Regents adopt new arts standards
  - Develop rollout strategy & implementation guidance
  - Develop guidance to support curriculum & assessment development
- **2017-18 School Year- transition year**
  - educators to receive NYSED developed professional development and practice with the new standards
- **2018-19 School Year- full implementation**

# ESSA requires that professional learning meets four specific criteria:

- **Classroom-Focused**
- **Sustained**
- **Job-Embedded**
- **Data-Driven**

# ESSA also encourages a commitment to another characteristic, which is especially important:

- **Teacher-Led** - In addition to the components outlined by ESSA, there is strong consensus among teacher advocates that it is equally important that professional learning is teacher-led when possible. ESSA does not mandate this, but does make mention of it:

[Professional development] “may include activities that... are developed with extensive participation of teachers, principals, other school leaders...”.

New York State Learning Standards for the



NEW YORK STATE EDUCATION DEPARTMENT

***Guidance on Implementing the***

**New York State  
Revised Learning Standards for the Arts  
Draft Summer 2017**

TABLE of CONTENTS		
PREFACE	Excerpt from the <i>New York State Statewide Strategic Plan for the Arts</i>	1
<b>PART 1</b>	<b>GENERAL INFORMATION and GUIDANCE</b>	<b>4</b>
SECTION 1	RECOMMENDED ACTION and RATIONALE <ul style="list-style-type: none"><li>• Artistic Literacy</li><li>• Background</li></ul>	5
SECTION 2	ORGANIZING PRINCIPLES	9
SECTION 3	BRIEF OVERVIEW of PRIMARY CHANGES <ul style="list-style-type: none"><li>• From Four to Five Disciplines</li><li>• From Four Standards to Eleven Anchor Standards</li><li>• From Grade Bands to Grade Level Performance Indicators</li></ul>	11
SECTION 4	IMPLEMENTING the 2017 NEW YORK STATE P-12 LEARNING STANDARDS for the ARTS <ul style="list-style-type: none"><li>• Regulations and Resources</li><li>• Curriculum</li><li>• Student Assessment, Evaluation, and Reporting</li></ul>	15
SECTION 5	POLICY GUIDANCE for the IMPLEMENTATION OF THE NEW YORK STATE ARTS STANDARDS <ul style="list-style-type: none"><li>• New York State Education Department Responsibilities</li><li>• School District Responsibilities</li><li>• Administrator Responsibilities, Pre-K-Grade 12</li><li>• Educator Responsibilities</li><li>• Family and Community Member Responsibilities</li><li>• Higher Education Institution Responsibilities</li><li>• Business and Industry Stakeholders' Responsibilities</li></ul>	19
SECTION 6	CONCEPTUAL FRAMEWORK, PERFORMANCE INDICATOR DESCRIPTIONS, and CODING SYSTEM <ul style="list-style-type: none"><li>• NYS Arts Standards Coding System</li></ul>	24
<b>PART 2</b>	<b>DISCIPLINE-SPECIFIC CONSIDERATIONS for STANDARDS IMPLEMENTATION</b>	<b>28</b>

# 2017 Pk-12 Learning Standards for the Arts: Professional Development Update

- September 2017 through March 2018 there have been over 60 professional development trainings across the state. Currently seven more are scheduled in April and May.
- The Department and S/CDN are planning summer professional development sessions statewide (in two to three locations) for teachers of the arts (dance, music, theater, visual and media arts) and a NYSED S/CDN Arts PD for Administrators was held in March.
- There are approximately 90 NYSED teacher trainers for the 5 disciplines.

# Participant Feedback

“We hosted our first training for teachers on the new Learning Standards for the Arts last week. The presenters were fabulous! ... I have seen the introduction several times and each time I pick up something new that is important to understand. ... All three trainers were so well prepared and really brought the discipline specific portions of the training to life through the stories they were able to share from their experiences working with both students and teachers.”

- BOCES Arts Coordinator

# **The 2017 PK-12 Learning Standards for the Arts & the need for new assessments**

**The Research and the Blue Ribbon Commission's Sub-  
Committee Reports**

# Program Waivers

## Charge of of the Sub-Committee

To make recommendations on the proposed Program Waiver Option for the New York Arts Pathway Assessment System, as described in the November 2015 final version of *The New York Arts Pathway Assessment System Report of The National Arts Assessment Expert Panel*.

<http://www.p12.nysed.gov/ciai/arts/documents/NY%20Arts%20Pathway%20Plan%20Final%2011.6.15.pdf>

# Program Waivers

## Summary of the Sub-Committee Work

While Program Waivers have strong potential to expand the varieties of ways students could earn Regents credit for their arts study, this committee noted two factors that diminish that potential:

- 1) Individual student review is an important component of program waivers, however the portfolio review option would cover the same students, plus more students in a wider variety of settings.
- 2) The investment needed to create an application process and evaluation mechanism for program waivers is significant.

**The Portfolio Option could be a better investment of time, money, and personnel.**

# Portfolio

Summary of the Sub-Committee Work

# Charge of the Portfolio Committee

To develop a process for students to submit their evidence of Pathway-level achievement thereby waiving the necessity of a Regents exam.

Considering:

- types of student evidence to be submitted
- how work is submitted
- who reviews the work
- criteria used to judge the work

# Portfolio

**Provides a full picture of student achievement in the Arts discipline and allows for student to demonstrate learning through various modalities.**

# Portfolio Elements

Recommendation is to include:

- Written Work (Reflective Essay)
- Projects Over Time (documents student interest and expertise)
- On Demand Task (evidence of three year development)

Portfolios to be aligned with new NYS Learning Standards for the Arts

(Dance, Music, Theatre, Visual and Media Arts)

# Portfolio Recommendations:

## Essential Identifications on Each Portfolio

- Dates on all entries to show growth over time
- Works showing drafts and corrected versions included
  - Reflections both formative and summative

# Remarks

Portfolio will provide a welcome opportunity for students with disabilities, Language other than English students, students with learning differences and other under-served student populations to showcase the strengths of their accomplishments.

The sub-committee strongly supports use of the Portfolio model as a component in the Individual Arts Assessment Plan (IAAP).

# Commencement General Education Level: C-GEL

## The Charge of the Sub-Committee Work

To make recommendations for the adoption or adaption of existing assessment materials and assessment strategies to maximize the use of existing assessment resources.

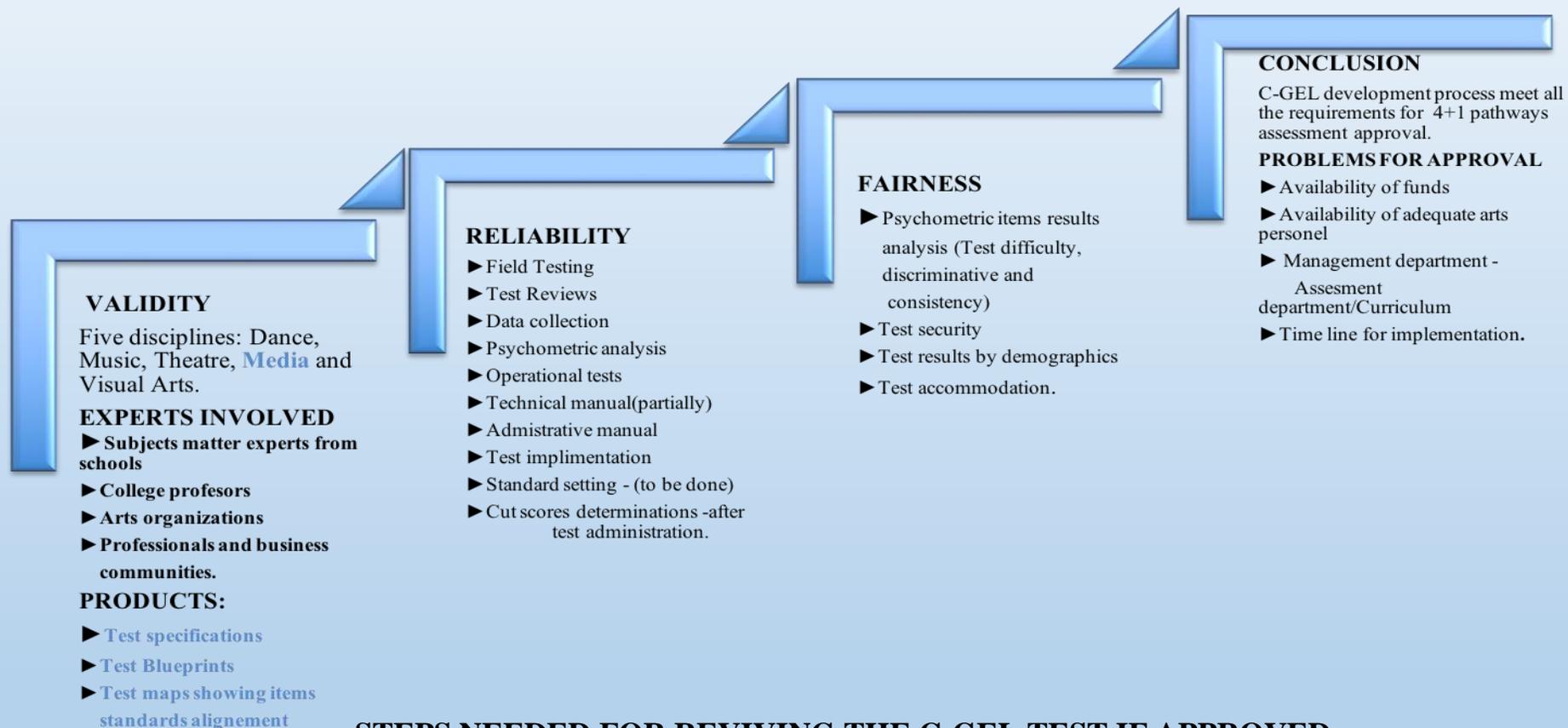
# C-GEL: Summary of the Sub-Committee Work

## Background:

- In **March 2016**, the AP and IB assessment options were approved by the Commissioner for the Arts Pathway as a first step. However, many schools in NYS do not offer AP and IB arts courses and assessments. In addition, these courses are generally for students who are advanced in the arts, meaning 3-5 unit sequence arts majors generally are most prepared to take these assessments.
- In **July 2017**, the Office of State Assessment (OSA) assigned staff to assist in the Blue Ribbon Commission's work. OSA reviewed the Commission's Report along with the NYSED's Commencement General Education (C-GEL) arts assessments in dance, music, theater, and visual arts. A technical report of the arts assessments has been produced.



## CONFIRMATION OF THE APPROPRIATENESS OF THE C-GEL ASSESSMENT



## STEPS NEEDED FOR REVIVING THE C-GEL TEST IF APPROVED

REALIGNING THE TEST ITEMS TO THE NEW YORK ARTS STANDARDS



REVIEW AND WRITING MORE ITEMS ACCORDING TO THE TEST SPECIFICATION



FIELD TESITING AND PSYCHOMETRICS ANALYSIS OF THE ITEMS

# Purposes & Benefits of Using C-GEL as a Model for IAAP

- C-GEL was developed in partnership with the NYSED Office of Assessment using *Goals 2000* funding. C-GEL is intended to be a voluntary assessment and **model** for teacher and district use.
- C-GEL includes performance/portfolio assessment practices (end of course and through course) approved and developed by NYS practitioners (all PK-20 and fields represented).
- The developers of C-GEL and the Blue Ribbon Commission agree that a portfolio of student work, based on on-going performance and on-demand assessments collected over time better measures learning in the arts.

# Purposes & Benefits of Using C-GEL as a Model for IAAP

- C-Gel can assist NY arts educators to assure that all New York students have a substantial grounding in the arts discipline chosen by the student.
- C-GEL could serve as a model for through-course and end-of-course assessment in more advanced arts courses in NY to be developed for Phase 2. This would help assure that students continue their learning in a manner to qualify more of them for the Arts Pathway endorsement.
- C-GEL can provide equity and access to all students and school districts while the IAAP assessments are being developed.

# Purposes & Benefits of Using C-GEL as a Model for IAAP

- Benchmarking of student performances can be collected and used for IAAP development.
- The IAAP arts performance assessment collection of evidence over time could be developed using the CDOS work that was released by NYSED June 2016. (There is a nexus here with CDOS Standard 3b- Arts and Humanities Majors).
- The IAAP could be used as a model performance assessment for all content areas.

# Individual Arts Assessment Pathway (IAAP)

Summary of the Sub-Committee Work

# The Process

Following the guidelines proposed by the arts assessment experts in the IAAP document, we reached out to every region in NYS and ensured that urban, rural and suburban districts were contacted and represented to the best of our ability.

The following districts volunteered to participate: Buffalo Public Schools, Ossining Union Free Schools, Fredonia Central Schools, Williamsville Central Schools, Wappingers Central Schools, Indian River Central Schools, and New Rochelle Public Schools.

# The Process

BEDS information was reviewed to determine the arts courses that were highest in enrollment. Those courses were:

**DANCE:** Creative Dance/ Movement; Modern Dance; Other

**MUSIC:** Concert Band; Orchestra; Chorus

**THEATER:** Acting; Other

**VISUAL ARTS:** Studio in Art; Drawing & Painting; Photography; Ceramics  
Computer/Media Arts

# The Process

Based on that information, we asked arts teachers to have their students participate in an arts assessment focus-group in those areas.

Surveys for students and teachers were created that focused on assessments in the arts. Participating arts teachers were given online surveys created using *Google Forms* (One for them, and one to be distributed to students). At last count, we had over 550 responses from students and teachers.

Emails were also sent to these arts teachers requesting 2015-2016 end-of-course and end-of-year arts assessments in the above courses.

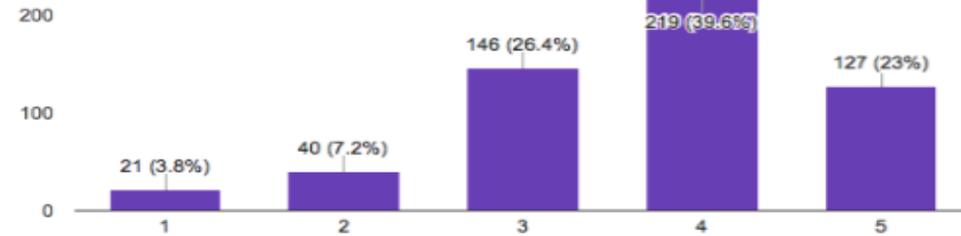
We received over 30 examples of assessments used in the arts classroom.

# Student Feedback

The focus group information was collected and aggregated and can be viewed

in this document:

**2. How well do you feel the measures described in question #1 accurately depicted your abilities and growth in that arts discipline?**  
(553 responses)

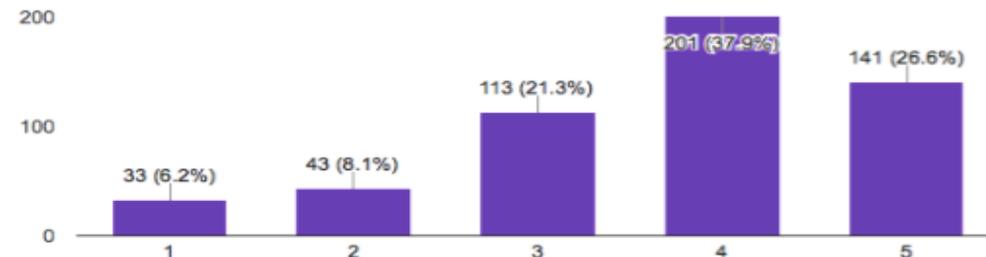


**3. If you were part of an individualized type of assessment (portfolio, presentation, performance, etc.) how useful did you find this type of assessment in regards to your growth in the arts?**

Not at all				Extremely Well
1	2	3	4	5

If you answered question 3, please explain your response \_\_\_\_\_

**3. If you were part of an individualized type of assessment (portfolio, presentation, performance, etc.) how useful did you find this type of assessment in regards to your growth in the arts?**  
(531 responses)



# Teacher Feedback

Arts teachers were asked to complete their own survey as it applied to arts assessments. Most were in general agreement that a **performance based arts assessment was the best gauge in determining growth and mastery for students.**

All teachers felt that offering IAAP as an alternative Regents option was an excellent idea and a long time coming.

Some of their responses can be found here:

<https://drive.google.com/file/d/0B66-7bqm2UoQWEFBT1dfRVdFZ1E/view?ths=true>

# Next Steps

The Blue Ribbon Commission on the Arts and  
Measuring Student Achievement of the new NYS 2017  
PK-12 Learning Standards for the Arts

# Arts Blue Ribbon Commission Structure 2018

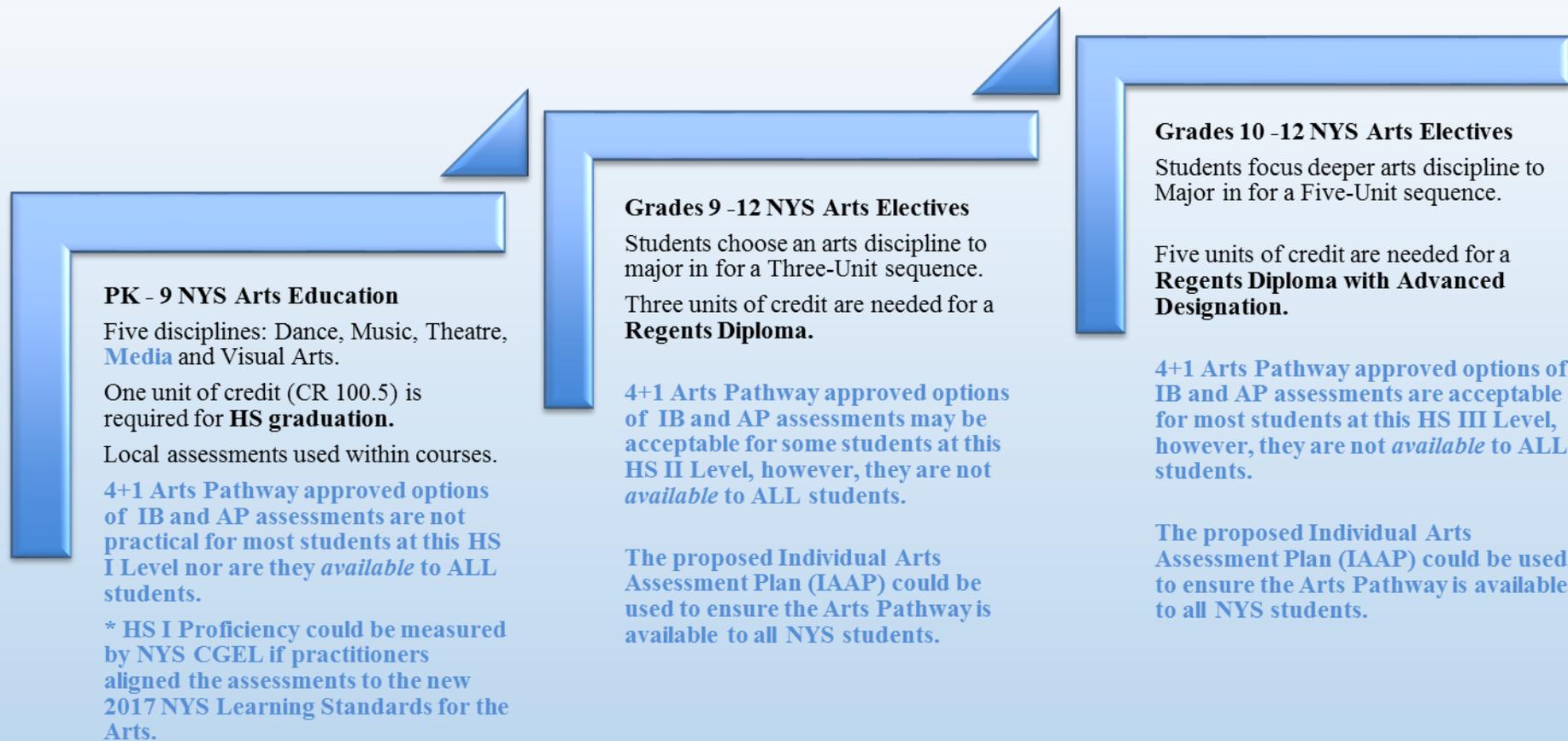


## **The IAAP assessment system should use three basic types of assessment:**

- **State Provided Course-Embedded (Through-Course) or End-of-Course Assessments.**
- **Individual Capstone Project to be Carried Out by the Student in High School.**
- **Student self-reflections on their work and other indirect measures of student achievement and attitudes in the arts.**

Steps proposed to develop the components of the Individual Arts Assessment Pathway assessment system are listed with an implementation plan for the final arts assessment pathway in the report of the Arts Blue Ribbon Commission Steering Committee Report at:

<http://www.p12.nysed.gov/ciai/arts/documents/6-17-17%20NY%20Arts%20BR%20Steering%20Committee%20Report%20v.%201.4.pdf>



C-GEL prepares students for the IAAP & other advanced arts assessments.

