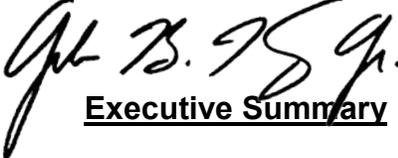




THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents
FROM: Anthony Lofrumento
SUBJECT: Summary of the October 2012 Meeting
DATE: October 22, 2012

AUTHORIZATION(S): 
Executive Summary

Issue for Decision

Review of the Summary of the October 2012 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of October 2012 meeting.

Procedural History

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

Recommendation

Approval of the Summary of the October 2012 meeting.

Timetable for Implementation

Effective November 5, 2012.

VOTED, that the Summary of the October 2012 Meeting of the Board of Regents of The University of the State of New York be approved.



SUMMARY OF THE OCTOBER MEETING

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

Held at the State Education Building

Albany, New York

October 9 and 10, 2012

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

MEETING OF THE FULL BOARD, Tuesday, October 9 at 9:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
James C. Dawson
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin
James E. Cottrell
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner Valerie Gray, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Emeritus Robert M. Bennett and Regent Betty A. Rosa were absent and excused.

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

ACTION ITEMS

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday October 9, 2012 at 4:20 p.m. to discuss personnel matters.

Motion by: Vice Chancellor Anthony S. Bottar
Seconded by: Regent Harry Phillips 3rd
Action: Motion carried unanimously

November Meeting Schedule Revision

Vice Chancellor Bottar announced that the November 2012 meeting will be on Monday, November 5th only.

UPDATE

The State of Education Finance

Regent James R. Tallon, Jr. provided the Board with an update on the State of Education Finance (see Appendix 3).

Chancellor Merryl H. Tisch adjourned the meeting at 9:55 a.m.

MEETING OF THE FULL BOARD, Wednesday, October 10 at 12:15 p.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner Valerie Gray, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Emeritus Robert M. Bennett and Regents James C. Dawson, Betty A. Rosa, Kathleen M. Cashin and James E. Cottrell were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 12:15 p.m.

ACTION ITEMS

**Charter Applications
BR (A) 1**

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

**Summary of the July 2012 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the September 2012 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Geraldine D. Chapey
Seconded by: Regent Harry Phillips, 3rd
Action: Motion carried unanimously

PROGRAM AREA CONSENT ITEMS

Higher Education

**Conferral of Degrees: Bethel Seminary of the East and New York Studio School
of Drawing, Painting & Sculpture
BR (CA) 1**

MOVED, that the Board of Regents confer upon the individuals listed, who have completed the requirements for their registered degree programs at Bethel Seminary of the East and New York Studio School of Drawing, Painting & Sculpture, the respective degrees as listed.

**Proposed Amendments to Section 52.21 and Part 80 of the Regulations of the
Commissioner of Education Relating to Transitional B and C Certificates and
Registered Programs Leading to these Certificates
BR (CA) 2**

MOVED, that section 52.21 and Part 80 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 31, 2012.

P-12 Education

**Petition of the Watervliet City School District for Consent to Exceed the
Constitutional Debt Limit
BR (CA) 3**

MOVED, that the Board of Regents hereby give consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the Watervliet City School District in an amount not to exceed \$18,950,000 for capital improvements, consisting of reconstruction and renovation, in part, to school buildings, grounds and facilities throughout the district and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

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) 4**

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

Report of the Committee on the Professions Regarding Licensing Petitions BR (CA) 5

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

Motion by: Regent Roger Tilles
Seconded by: Regent Harry Phillips, 3rd
Action: Motion carried unanimously

STANDING COMMITTEE REPORTS

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on October 9, 2012. All members were present except for Chancellor Emeritus Bennett and Regent Rosa, who were excused.

ACTION ITEMS

Safety Net for Students with Disabilities

Your Committee recommends that section 100.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 31, 2012, 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 the timely implementation during the 2012-2013 school year of the safety net options for students with disabilities to graduate with a local diploma. [P-12 (A) 1]

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 October 10, 2012, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Special Education Regulations – The Committee discussed proposed amendments to regulations to conform Commissioner's Regulations to Chapters 267 and 279 of the Laws of 2012 relating to CSE membership and IEP dissemination requirements. If endorsed by the Regents, the proposed amendments will come back to the Regents for action in December. [P-12 (D) 1]

Charter School Office Update – The Committee was provided an update on the activities of the Department’s Charter School Office in carrying out the Board of Regents public charter school authorization and oversight responsibility. The Committee discussed the Performance Framework (to be presented to the Board of Regents in November) that covers all areas of school and system accountability. Also discussed was the federal Charter Schools Program Grant used to support the opening of quality charter schools. Staff reported that 27 new charter schools opened this school year and 19 more are slated to open in the fall of 2013. [P-12 (D) 2]

CTE Advisory Panel Update – The Committee was provided an update on the activities of the CTE Advisory Panel, which met for the first time on September 18, 2012. The Panel was charged with developing recommendations to strengthen CTE K-12 learning and to address gaps in the CTE learning continuum statewide. Initial recommendations focused on four critical areas: students, teachers, school leaders, and community economic development. The Panel will re-convene on October 15, 2012 and focus on the recommendations around these four critical areas. [P-12 (D) 3]

Proposed Regents State Legislative Priorities – The Committee discussed proposed legislative priorities for the creation of Regional Secondary Schools; Support and Intervention in Chronically Underperforming Schools; Mandate Relief and Flexibility; BOCES as Regional Leaders and the Race to the Top Longitudinal Data System. Final legislative priorities will be presented to the Board of Regents for approval at their November or December meeting. [P-12 (D) 4]

Updates on Early Learning Initiatives – The Committee discussed the QualityStarsNY program; a voluntary quality rating and improvement system designed to ensure that New York’s pre-kindergarten-age children have the opportunity to experience high quality early learning experiences. Other discussion focused on the Department’s proposed legislative priority to request additional UPK funding, provide funding flexibility to support full-day UPK programs and allow Transportation Aid to be used for UPK transportation. The Committee agreed to move forward with the legislative priority and also re-affirmed its commitment to the transition to universal full-day kindergarten. [P-12 (D) 5]

Diagnostic Tool for School and District Effectiveness – The Committee discussed the Diagnostic Tool for School and District Effectiveness, a key component of New York’s Elementary and Secondary Education Act (ESEA) waiver. Discussion focused on the six tenets of school and district effectiveness and the five pilot reviews conducted in Albany and Rochester this past spring. During the pilot reviews, schools were engaged in the protocols of the review process and debriefing sessions were held with the staff and district administrators. As a result, there have been numerous requests from districts for professional development and mentoring on the six tenets of the rubric. The six tenets are: district leadership and capacity; school leadership practice and decisions; curriculum development and support; teacher practices and decisions;

student social and emotional developmental health; and family and community engagement. [P-12 (D) 6]

Updates from the Office of Accountability and the Office of School Innovation – The Committee discussed the wide range of funding opportunities available to districts with low-performing schools, including School Improvement Grant funds (SIG); the School Innovation Fund Grant; and Commissioner’s Schools Dissemination and Replication Grants. The Committee also discussed the Systemic Supports for District and School Turnaround Grant, which assists districts in building their capacity to reframe systems and structures to both support and hold schools accountable. Of the eighteen eligible districts for this grant, seventeen submitted complete applications on or before the deadline of August 1, 2012. The Department approved applications from eight districts. [P-12 (D) 7]

Consent Agenda Items - The Committee discussed the following items scheduled for approval on the Full Board consent agenda:

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

AUDITS/BUDGET AND FINANCE

The Regents Committee on Audits/Budget and Finance met as scheduled this morning, October 10, 2012. Regents Bendit, Brown, Cashin, Cea, Jackson, Phillips, Tallon, Tilles, and Young were in attendance.

Co-Chair’s Remarks: Regent Chapey welcomed everyone and stated that economic challenges call us all to innovate and work as partners in developing new approaches to education reform.

Items for Discussion

Proposed Audit Initiatives for the Office of Audit Services

The Committee was presented with a summary of the proposed audit initiatives to be undertaken by the Office of Audit Services in the next year (November 2012 to October 2013). The plan is to continue audits of school districts with new emphasis on Race to the Top funds, and School Improvement Grant funding. The plan also calls for new initiatives in the areas of compliance with Annual Professional Performance Reviews and Test Security.

The plan also calls for the audit of special education providers in order to enhance the Comptroller’s efforts and develop the expertise within SED. The remaining two initiatives will cover audits of non-profit recipients of Federal Funds and some Follow-up audits of those issued in the past several years.

Completed Audits

The Committee was presented with 5 audits this month. All of the audits were issued by the Office of the State Comptroller (OSC). The audits were of one charter school, three school districts and one BOCES.

The findings were in the areas of procurement, claims processing, information technology, and capital construction.

September 2012 Fiscal Report

Our Executive Deputy Commissioner briefed the Committee members.

Overall spending in the General Fund reflects a 2.5 percent reduction from the 2011-2012 levels as included in the 2012-2013 enacted budget. The report reflects the beginning of the impact of new legislation that will enhance our proprietary school oversight. General Fund accounts are in structural balance with the exception of the Tenured Teacher Hearings (TTH). The report format related to the teacher tenure hearing account was changed to reflect the deficit coming from the prior year.

Special Education Fiscal Oversight - Update

Department staff continues to work on putting forth specific recommendations related to reforming the oversight of special education providers. It is expected that some of the recommendations will be presented to the Regents in November.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on October 9, 2012. All Committee members were present. Chancellor Merryl H. Tisch and Regent James C Dawson were also present, but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 8 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 20 consent order applications and 3 surrender applications be granted.

In the case of Keyna T. Jackson, Licensed Practical Nurse, Calendar No. 26123, we recommend that the caption, heading, and body in the report of the Regents Review Committee as well as the caption and heading in the terms of probation and on the blue back to the report all be deemed corrected and be deemed to read respondent's correct name "Keyna T. Jackson," and not "Kenya T. Jackson."

These recommendations are made following the review of 31 cases involving ten licensed practical nurses, four registered professional nurses, three dentists, three licensed practical nurses who are also registered professional nurses, two professional engineers, one acupuncturist, one chiropractor, one massage therapist, one pharmacist, one pharmacy, and one podiatrist.

Restorations

Your Committee recommends the following:

That the application of Karl Easton for the restoration of his license to practice as a physician in New York State be denied. [PPC EXS (A) 4]

That the application of Arvinder Singh for the restoration of his license to practice as a physician in New York State be granted to the extent that the revocation of his license be stayed, that he be placed on probation for a period of three years in accordance with the Terms of Probation, and that, upon satisfactory completion of the probationary term, his license be fully restored. [PPC EXS (A) 5]

That the application of Mahmood Yoonessi for the restoration of his license to practice as a physician in New York State be denied in accordance with the draft Determination of the Board of Regents. [PPC EXS (A) 6]

Approvals

Your Committee recommends approval of the following:

Regulations Relating to Polysomnographic Technology Services [PPC (A) 1] –That new sections 52.42 and 79-4.8 through 79-4.17 of the Regulations of the Commissioner of Education be added and that the title of Subpart 79.4 of the Regulations of the Commissioner of Education be amended, all as submitted, effective October 31, 2012.

MOTION FOR ACTION BY FULL BOARD

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 October 9, 2012, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed several topics of interest, including:

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

- Full Board Consent Agenda Items
 - Board (Re)Appointments
 - Licensing Petitions
- Technology Update
- Staffing/Productivity Update
- Legislative Update
- Updates on OP Initiatives

Professional Discipline Update – The Director of the Office of Professional Discipline shared information and provided statistical data on all recent OPD activities. [PPC (D) 1]

HIGHER EDUCATION/PROFESSIONAL PRACTICE JOINT MEETING

Your Higher Education Committee and Professional Practice Committee held a joint meeting on October 10, 2012.

Online Degree Programs. The Higher Education and Professional Practices Committees met jointly to discuss the current requirements for licensure and certification when students take online programs from in state and from out-of-state institutions. In addition the Committees discussed the program registration requirements and approval process for online learning.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on October 10, 2012.

Action Items

Statewide Plan for Higher Education. Your Committee reached consensus on the final draft of the 2012–2020 Statewide Plan for Higher Education and recommended that the Department proceed with the public hearings on the completed draft plan.

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 October 10, 2012, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Proposed Amendments to the Regulations of the Commissioner of Education Relating to Renewals of Provisional Certificates and Reissuances of Initial Certificates. Your Committee discussed proposed amendment to sections 80-1.7 and 80-1.8 of the Regulations of the Commissioner of Education relating to renewals of provisional certificates and reissuances of initial certificates. It is anticipated that the proposed amendment will come before the Board for adoption as a permanent rule at the January 2013 Regents meeting.

APPR/RTTT. Your Committee heard an update on the APPR process and approvals.

Legislative Priorities. Your Committee discussed the following proposed Regents priority legislation.

- **Early College High School (ECHS) programs (S.5647 – Flanagan/A.9312 – Nolan):** The Regents have proposed using portions of Tuition Assistance Program (TAP) funds to sustain ECHS programs. ECHS are innovative partnerships that increase high school graduation and postsecondary degree completion rates among underrepresented students.

Education Equity for DREAMers (S.6621 – Rules/A.9344 Glick): In New York, thousands of undocumented students receive an education through the state's P-12 public school system but are unable to access higher education opportunities. The Regents have proposed legislation to give these undocumented students the opportunity to attend college by making them eligible for state financial aid.

HIGHER EDUCATION/CULTURAL EDUCATION JOINT MEETING

Your Higher Education Committee and Cultural Education Committee held a joint meeting on October 10, 2012.

Early Childhood/Elementary Cert and Arts. Your Higher Education and Cultural Education Committees met jointly to discuss the current requirements for K-6 teachers with regard to art credit, and what other states currently require.

CULTURAL EDUCATION

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. Your Cultural Education Committee had its scheduled meeting on October 10, 2012.

In attendance were committee members: Regents Tilles, Bendit, Cea, and Jackson.
Absent: Regents Dawson, Rosa and Cottrell.

In addition to CE Committee Members, in attendance were: Chancellor Tisch, Vice Chancellor Bottar, Regents Norwood, Brown, Tallon, Chapey, Phillips and Young and Commissioner King and Executive Deputy Commissioner Grey.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting. Regent Tilles remarked on the success of the travelling exhibit about the Emancipation Proclamation, Lincoln's First Step to Freedom.

Deputy Commissioner Jeffrey Cannell introduced the item to reappoint two members to the Board of the Archives Partnership Trust.

Appointments to Archives Partnership Trust Board

Required by State Statute, the New York State Archives Partnership Trust Act (Chapter 758 of the Laws of 1992, as amended) gives the Board of Regents four (4) appointments to the Trust Board.

Motion to approve the reappointments of Barbara A. Brinkley and Dr. Kimberly Gilmore to the Board of the Archives Partnership Trust Board for a three year term each, commencing October 10, 2012.

Motion by Regent Jackson

Second by Regent Cea

Passed by unanimous vote.

NYS Summer School of the Arts 2012 session wrap up

Deputy Commissioner Cannell introduced Sara Fittizzi, Executive Director of the Summer School of the Arts. Fittizzi provided a brief history of the program emphasizing the opportunities and inspirations of the program, regardless of income, to talented school-age students. Selections are made through an audition process. Ms. Fittizzi recommended members review the materials that were provided to all members of the Board which contains CDs of performances as well as letters from artistic faculty.

While the program is its 43rd year, it is its second year operated under the umbrella of the Office of Cultural Education. The program currently operates seven schools of various artistic disciplines including ballet, choral studies, dance, media arts, orchestral studies, theatre and visual arts with over 400 students participating.

Motion by: Regent Harry Phillips, 3rd
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously

BR (A) 3

MOVED, that accept the September 2012 State Education Department Fiscal Report as presented.

Motion by: Regent Roger Tilles
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

Presentation

**Teacher of the Year
Oral**

Commissioner King and Kathleen M. Donahue, Vice President of New York State United Teachers, presented the 2013 Teacher of the Year Award to Gregory Ahlquist, Webster Thomas High School, Webster, NY.

Kathleen Ferguson, Jessie T. Zoller Elementary School, Schenectady, NY provided an overview of her experiences as 2012 Teacher of the year.

Mr. Ahlquist provided brief remarks to the Board upon presentation of his award.

Chancellor Merryl H. Tisch adjourned the meeting at 12:35 p.m.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
The Asia Society	CE	New York	Amend charter to increase maximum number of trustees from fifty to seventy.
The Bridge Line Historical Society	CE	Albany	Extend provisional charter for five years.
The Cave House Museum of Mining and Geology	CE	Schoharie	Extend provisional charter for five years.
Ephratah Historical Society	CE	Fulton	Extend provisional charter for five years.
Galway Public Library	CE	Saratoga	Grant an absolute charter.
George C. Bullis Memorial Library	CE	Orange	Grant provisional charter for five years.
Historic Hudson Valley	CE	Westchester	Amend charter to delete reference to the town of Tarrytown and to change the corporate address.
Historic Landmarks Preservation Center of New York City	CE	New York	Amend, replace, and restate the charter as a Regents certificate of incorporation.
Long Island Motion Picture Arts Center and Museum	CE	Nassau	Extend provisional charter for five years.
Newark-Arcadia Historical Society	CE	Wayne	Amend charter to change the corporate address.
Piermont Historical Society	CE	Rockland	Extend provisional charter for five years in lieu of granting an absolute charter.
The Richburg-Wirt Historical Society	CE	Allegany	Extend provisional charter for five years.
The Unadilla Historical Association	CE	Otsego	Grant an absolute charter.
The Watervliet Historical Society	CE	Albany	Amend charter to appoint trustees and revive corporation and extend charter for five years.
Argyle Village Nursery School	P-12	Washington	Amend charter to restate corporate purposes and to update IRS language.

Brooklyn Amity School	P-12	Kings	Amend charter to change the corporate address and delete additional site location 1501 Hendrickson Street, Brooklyn, New York 11234.
The Garden Road School	P-12	Westchester	Extend provisional charter for three years.
Great Oaks Elementary School	P-12	Kings	Amend charter to change corporate address and extend provisional charter for three years.
Hamza Academy	P-12	Nassau	Extend provisional charter for three years.
Our Sons and Daughters School	P-12	Suffolk	Amend charter to change corporate address and extend provisional charter for three years.
Reach for the Stars Learning Center	P-12	Kings	Amend charter to change corporate address.
St. John Bosco Schools	P-12	Monroe	Amend charter to add a corporate mailing address and extend provisional charter for three years.
Sunshine Alternative Education Center	P-12	Suffolk	Grant provisional charter for three years.
The Theatre Street School	P-12	Queens	Extend provisional charter for three years.
Woodland Hill Montessori School	P-12	Rensselaer	Amend charter to add authority to operate a part-time toddler program.
Gestalt Center for Psychotherapy and Training	OP	New York	Amend charter to add authority to provide a licensure qualifying program in psychoanalysis and amend purposes to meet current law, rule and regulation.
Institute for Child, Adolescent, and Family Studies	OP	New York	Dissolve charter and approval to store student records at the office of Dr. Ava Siegler, 15 Charles Street, Ste. 7E, New York, New York 10014.

Appendix II

REGENTS ACTIONS IN 31 PROFESSIONAL DISCIPLINE CASES AND 3 RESTORATION PETITIONS

October 9-10, 2012

The Board of Regents announced disciplinary actions resulting in the surrender of 3 licenses as well as 28 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 3 restoration petitions.

I. SURRENDERS

Nursing

John Gallogly; Registered Professional Nurse; Poughkeepsie, NY 12603; Lic. No. 471495; Cal. No. 26265; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted twice of Driving While Intoxicated and once of Prohibited Use of a Weapon, all misdemeanors, and of having failed to disclose two of the three convictions in his nursing re-registration document.

Gail Robin Klein; Licensed Practical Nurse; Mechanicville, NY 12118-9802; Lic. No. 089919; Cal. No. 26346; Application to surrender license granted. Summary: Licensee did not contest charges of having been convicted of Falsifying Business Records and of Endangering the Welfare of an Incompetent or Physically Disabled Person.

Podiatry

Daniel E. Ogwo; Bronx, NY 10463; Lic. No. 005958; Cal. No. 26304; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Medical Provider Prohibited Practice (Kickback), a class E felony.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Acupuncture

Yu Shu Wong; Little Neck, NY 11363; Lic. No. 002484; Cal. No. 26275; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Chiropractic

Simone Avril Vilaire; Brooklyn, NY 11213; Lic. No. 010054; Cal. No. 26100; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$7,500 fine.

Dentistry

Andrew S. Hechtman; Dentist; Brooklyn, NY 11209; Lic. No. 040536; Cal. No. 25674; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Robert F. Andrus; Dentist; Denver, CO 80209; Lic. No. 053310; Cal. No. 26120; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$5,000 fine.

Kenneth E. Knott; Dentist; Las Cruces, NM 88013; Lic. No. 053148; Cal. No. 26121; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$5,000 fine.

Engineering and Land Surveying

Edward M. Guterman; Professional Engineer; New York, NY 10013; Lic. No. 061893; Cal. No. 25952; Application for consent order granted; Penalty agreed upon: 9 month actual suspension, 15 month stayed suspension, 2 years probation, \$1,000 fine.

Harry Charalambos Fosteris; Professional Engineer; Howard Beach, NY 11414; Lic. No. 067467; Cal. No. 26284; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 33 month stayed suspension, 3 years probation, \$10,000 fine.

Massage Therapy

Julianna Green; Congers, NY 10920; Lic. No. 017107; Cal. No. 26266; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

Nursing

Patricia Ann Heavey; Registered Professional Nurse; East Meadow, NY 11554; Lic. No. 497081; Cal. No. 24715; Found guilty of professional misconduct; Penalty: \$500 fine, 1 year suspension, execution of suspension stayed, probation 2 years.

Sandra E. Crauwels; Licensed Practical Nurse, Registered Professional Nurse; Valley Stream, NY 11580; Lic. Nos. 201356, 415695; Cal. Nos. 25416, 25417; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence if and when return to practice.

Kathleen Melissa Pritchard; Licensed Practical Nurse; Caledonia, NY 14423; Lic. No. 275277; Cal. No. 25698; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jessica Lynn Zajesky; Licensed Practical Nurse, Registered Professional Nurse; Latham, NY 12110; Lic. Nos. 277250, 566978; Cal. Nos. 25904, 25905; Found guilty of professional misconduct; Penalty: Indefinite suspension until substance abuse-free and until fit to practice, subsequent to termination of suspension, probation 2 years to commence upon actual return to practice.



Keyna T. Jackson; Licensed Practical Nurse; Buffalo, NY 14215; Lic. No. 281986; Cal. No. 26123; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of last 21 months of suspension stayed, subsequent to termination of suspension, probation 2 years to commence upon actual return to practice.

John R. Schultz; Licensed Practical Nurse; Blossvale, NY 13308; Lic. No. 234623; Cal. No. 26155; Application for consent order granted; Penalty agreed upon: 9 month actual suspension, 15 month stayed suspension, 2 years probation to commence upon return to practice, \$750 fine payable within 6 months.

Nadine Marie Collins; Licensed Practical Nurse; Baldwin, NY 11510; Lic. No. 238246; Cal. No. 26204; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of last 21 months of suspension stayed, probation 2 years to commence upon service of Order.

Yvette D. Spearman; Licensed Practical Nurse; Kingston, NY 12401; Lic. No. 274482; Cal. No. 26262; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Melinda L. Clarke; Licensed Practical Nurse; Mastic, NY 11950; Lic. No. 294629; Cal. No. 26309; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Julia J. Basher; Licensed Practical Nurse; Franklin Square, NY 11010; Lic. No. 202464; Cal. No. 26318; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$750 fine.

Ingrid Annmarie Marisin; Licensed Practical Nurse; Fort Benning, GA 31995; Lic. No. 284009; Cal. No. 26319; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 2 years probation.

Tami Rae Parsons; Registered Professional Nurse; Albany, NY 12205; Lic. No. 623545; Cal. No. 26324; 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.

Donna Wallace Adair; Registered Professional Nurse; West Palm Beach, FL 33401; Lic. No. 421898; Cal. No. 26327; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in State of New York.

Pharmacy

Express Drugs, Inc.; Pharmacy; 126 Dyckman Street, New York, NY 10040; Reg. No. 021397; Cal. No. 26060; Application for consent order granted; Penalty agreed upon: \$7,500 fine, 2 years probation.

Megan Brigid Harwood; Pharmacist; Los Angeles, CA 90028; Lic. No. 051349; Cal. No. 26306; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

III. RESTORATIONS

The Board of Regents voted on October 10, 2012 to deny the application for restoration of the physician license of Karl Easton, Craryville, NY. Dr. Easton's license was originally revoked January 2, 1995.

The Board of Regents voted on October 10, 2012 to stay the execution of the order of revocation of the physician license of Arvinder Singh, Albany, NY, to place him on probation for 3 years under specified terms and conditions, and, upon satisfactory completion of the probationary period, to fully restore his license. Dr. Singh's license was originally revoked November 24, 2003.

The Board of Regents voted on October 10, 2012 to deny the application for restoration of the physician license of Mahmood Yoonessi, Rancho Palos, CA. Dr. Yoonessi's license was originally revoked June 6, 2002.