



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 *Anthony Lofrumento Jr*
SUBJECT: Summary of the September 2013 Meeting
DATE: October 11, 2013
AUTHORIZATION(S): *J. B. G. Jr.*
Executive Summary

Issue for Decision

Review of the Summary of the September 2013 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of September 2013 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 September 2013 meeting.

Timetable for Implementation

Effective October 22, 2013.

VOTED, that the Summary of the September 2013 Meeting of the Board of Regents of The University of the State of New York be approved.



***SUMMARY OF THE SEPTEMBER 2013 MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK***

Held at the State Education Building

Albany, New York

September 16 and 17, 2013

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

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session on Monday, September 16, 2013 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, September 16th at 9:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
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, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent Geraldine D. Chapey was 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, September 17, 2013 at 11:55 a.m. to discuss litigation matters.

Motion by: Vice Chancellor Anthony S. Bottar
Seconded by: Chancellor Emeritus Robert M. Bennett
Action: Motion carried unanimously

PRESENTATION

Common Core Implementation Across P-12

Commissioner John B. King Jr. presented information on the Common Core Implementation Across P-12.

Race to the Top Early Learning Challenge Application BR (D) 1

Commissioner John B. King Jr. presented information on the Race to the Top Early Learning Challenge Application.

Chancellor Merryl H. Tisch adjourned the meeting at 10:00 a.m.

MEETING OF THE FULL BOARD, Tuesday, September 17th at 11:55 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Harry Phillips, 3rd
James R. Tallon, Jr.
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
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Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Geraldine D. Chapey and Roger Tilles were absent and excused.

ACTION ITEMS

**Charter Applications
BR (A) 1**

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

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

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 2013 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the July 2013 Meeting of the Board of Regents of The University of the State of New York be approved.

**Regents Monthly Meeting Dates, June and July 2014
BR (A) 4**

MOVED, that the list of Regents meeting dates for June and July 2014 is approved.

Motion by: Regent Charles R. Bendit
Seconded by: Regent James C. Dawson
Action: Motion carried unanimously

PROGRAM AREA CONSENT ITEMS

Higher Education

**The College of Westchester: Master Plan Amendment to Authorize First
Baccalaureate Programs in the Health Professions
BR (CA) 1**

MOVED, that the Board of Regents approve a master plan amendment authorizing The College of Westchester to offer its first baccalaureate-level programs in the health professions discipline. This amendment would be effective until September 30, 2014, unless the Department registers the proposed programs prior to that date, in which case, master plan amendment shall be without term.

**Maria College: Master Plan Amendment to Authorize a Bachelor of Science
Program in Psychology
BR (CA) 2**

MOVED, that the Board of Regents approve a master plan amendment authorizing Maria College to offer its first bachelor's program in the social sciences discipline, a Bachelor of Science (B.S.) degree program in Psychology. This amendment would be effective until September 30, 2014, unless the Department registers the program prior to that date, in which case, master plan amendment shall be without term.

**Proposed Amendments to Part 80 of the Regulations of the Commissioner of
Education Relating to Coursework or Training in Harassment, Bullying and
Discrimination Prevention and Intervention
BR (CA) 3**

MOVED, that Part 80 of the Commissioner's Regulations be amended, as submitted, effective October 21, 2013, as an emergency action upon a finding by the Board of Regents that such action is necessary for preservation of the general welfare to immediately implement the new law, and to ensure that applicants for certification are notified that that the deadline for the training requirements has been extended from July 1, 2013 to December 31, 2013; and to ensure that the emergency rule adopted at the July Regents meeting remains continuously in effect until it can be adopted as a permanent rule.

**Proposed Amendment to Section 80-5.5 of the Regulations of the Commissioner of Education Relating to the Employment of Retired Public Employees
BR (CA) 4**

MOVED, that subdivision (b) of section 80-5.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 23, 2013, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to timely implement the provisions of Section 1 of Part Y of Chapter 55 of the Laws of 2013.

MOVED, That subdivision (b) of section 80-5.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 2, 2013, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to timely implement the provisions of Section 1 of Part Y of Chapter 55 of the Laws of 2013.

If adopted at the September Regents meeting, the proposed amendment will become effective as an emergency measure on September 23, 2013 and will become effective as a permanent rule on October 2, 2013.

**Proposed Amendment to Section 83.4(d) and Addition of 83.5(b)(1)(iv) to the Regulations of the Commissioner of Education Relating to Moral Character Determinations
BR (CA) 5**

MOVED, that subdivision (d) of section 83.4 of the Regulations of the Commissioner of Education be amended and that a new subparagraph (iv) shall be added to paragraph (1) of subdivision (b) of section 83.5 of the Regulations of the Commissioner of Education, as submitted, effective September 19, 2013 as an emergency action upon a finding by the Board of Regents that such action is necessary for preservation of the general welfare to immediately implement the revised rule to ensure that action can be taken expeditiously to revoke or suspend the certificates of teachers and school administrators who commit a crime involving fraud or submission of information related to their criminal history record checks in order to ensure the safety of

the children and faculty of the schools in this State, and to ensure that it remains continuously in effect until it can be adopted as a permanent rule; and further

MOVED, that subdivision (d) of section 83.4 of the Regulations of the Commissioner of Education be amended and that a new subparagraph (iv) shall be added to paragraph (1) of subdivision (b) of section 83.5 of the Regulations of the Commissioner of Education, as submitted, effective October 2, 2013.

**Proposed Amendments to Part 80 of the Regulations of the Commissioner of Education Relating to the New Teacher and School Building Leader Certification Examination Requirements
BR (CA) 6**

MOVED, that Part 80 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 2, 2013.

**Conferral of Degrees: American Museum of Natural History, Bethel Seminary of the East and New York Studio School of Drawing, Painting & Sculpture
BR (CA) 7**

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

Higher Education/P-12 Education

**Adoption of the Proposed Amendments Relating to the Definitions of Teacher or Principal Growth Percentile Score and Value-Added Growth Score
BR (CA) 8**

MOVED, that the Board of Regents amend section 30-2.2 of the Rules of the Board of Regents as submitted, effective September 23, 2013, as an emergency measure to preserve the public welfare to ensure that school districts and BOCES are notified immediately of the changes to the definitions of teacher and principal student growth percentile score and value added growth score and to ensure that the emergency rule remains continuously in effect until it can be adopted as a permanent rule; and further

MOVED, that the Board of Regents amend section 30-2.2 of the Rules of the Board of Regents as submitted, effective October 2, 2013.

P-12 Education

Amendment of Section 200.18 of the Regulations of the Commissioner, relating to Municipal Audits of Education Law section 4410 Preschool Special Education Programs and Services BR (CA) 9

MOVED, that subdivision (b) of section 200.18 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 2, 2013.

Emergency Adoption of Proposed Amendment of Sections 200.7 and 200.15 of the Regulations of the Commissioner of Education Relating to Chapter 501 of the Laws of 2012 (“Protection of People with Special Needs Act”) BR (CA) 10

MOVED, that paragraphs (3) and (6) of subdivision (b) of section 200.7 and section 200.15 of the Regulations of the Commissioner be amended as submitted, effective September 23, 2013, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that the emergency rule adopted at the June 16-17, 2013 Regents meeting remains continuously in effect until the effective date of its adoption as a permanent rule at a subsequent Regents meeting, and thereby ensure that students attending residential schools are protected against abuse, neglect and significant incidents that may jeopardize their health, safety and welfare.

Petition of the City School District of the City of Amsterdam 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 Amsterdam in an amount not to exceed \$207,246 for the acquisition of school buses and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

Proposed Amendment to Sections 155.2, 155.12, and 200.2 of the Regulations of the Commissioner of Education Relating to Special Education Space Plans BR (CA) 12

MOVED, that paragraph (2) of subdivision (b) of section 155.2, paragraph (6) of subdivision (b) of section 155.12, and paragraphs (2) and (3) of subdivision (c) of section 200.2 of the Regulations of the Commissioner of Education be amended, and that subdivision (g) of section 200.2 be repealed and a new subdivision (g) of section

200.2 of the Regulations of the Commissioner of Education be added, as submitted, effective October 2, 2013.

**Revision to a Charter Authorized by the Board of Regents: Aloma D. Johnson
Fruit Belt Community Charter School
BR (CA) 13**

MOVED, that the Board of Regents finds that the proposed revised charter: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the charter revision for the Aloma D. Johnson Fruit Belt Community Charter School and amends the provisional charter accordingly.

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) 14**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 15**

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

Motion by: Regent James C. Dawson
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 September 16, 2013. All members were present.

ACTION ITEMS

Academic Intervention Services

Your Committee recommends that paragraph (2) of subdivision (ee) of section 100.2 of the Regulations of the Commissioner be amended as submitted, effective September 17, 2013, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately establish modified requirements for the provision of Academic Intervention Services for the 2013-2014 school year, for purposes of providing districts with flexibility to address the change in student rates of proficiency on the 2013 grades 3-8 assessments in English Language Arts and mathematics, and thereby ensure the timely implementation of the modified AIS requirements by school districts in the 2013-2014 school year. [P-12 (A) 1]

Senior Athletic Competition for Students with Disabilities Waiver

Your Committee recommends that clause (d) of subparagraph (ii) of paragraph (7) of subdivision (c) of section 135.4 of the Commissioner's Regulations be amended, as submitted, effective September 17, 2013 as an emergency rule upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to allow for participation in senior high school non-contact athletic competition during the 2013-2014 school year by students with disabilities who have previously obtained a waiver pursuant to such provision. [P-12 (A) 2]

CTE Policy to Enhance Student Credit Options for Graduating College and Career Ready

Your Committee recommends that action on this item be deferred this month and included in a larger discussion on multiple pathways to occur later this fall. [P-12 (A) 3]

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on September 17, 2013, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Tuition Rate Setting Methodology – Your Committee discussed recommendations from the Special Education Financial Advisory Workgroup for how the existing tuition rate setting methodology for Special Act School Districts, 853 schools and approved

preschool special education providers could be improved. Recommendations include providing rate stability following reasonable or necessary fluctuations in enrollment and elimination of re-billing for services if rate reconciliation would only yield a small change in the previously billed amount. Department staff will continue discussions with the Special Education Financial Advisory Workgroup and will report findings and recommendations to the Board for their consideration at the November meeting. [P-12 (D) 1]

Regents Research Paper Requirement for a Regents or Local Diploma – Your Committee discussed proposed revisions to regulations previously discussed relating to the Regents Research Paper following feedback from public comment. Specifically, revisions were made to allow for more local flexibility on time for completion, including for students who transfer in late, and will allow compatibility with existing practices around research papers. Additionally, the revised Framework and proposed regulations reflect this as a graduation requirement, not a prerequisite for a Regents Examination. The revised regulations will be posted for public comment and brought back to the Committee for approval in November. [P-12 (D) 2]

Common Core Implementation Panel – The Committee participated in a panel discussion with educators from around New York State to talk about their work to implement the Common Core Learning standards, curriculum, and training leading to improved instruction aligned to the standards. Panel members included:

- **Mike Ford**, Superintendent of Schools, Phelps-Clifton Springs Central School District
- **Alonta Wrighton**, Principal, PS 11, NYC DOE
- **Musa Ali Shama**, former Principal, Principal Trainer, NYC DOE
- **Angelique Johnson**, Teacher Center Director, Western Suffolk BOCES
- **Trina Falchi**, Teacher, Utica City School District

Panel members shared actions taken in their district to implement the standards and challenges experienced and how those challenges are being addressed. Common themes discussed focused on Special Education and ELL testing issues, parent engagement, and professional development. [P-12 (D) 3]

Consent Agenda Items

The Board of Regents will take action on the following consent agenda items at their September 17, 2013 meeting.

- Municipal Audits of Preschool Special Education Programs
- Protection of People with Special Needs Act
- Amsterdam CSD Petition for Consent to Exceed the Constitutional Debt Limit
- Special Education Space Plans
- Aloma D. Johnson Fruit Belt Community Charter School Revision

P-12 EDUCATION/ACCES

Your P-12 Education/ACCES Committee held its scheduled meeting on September 16, 2012. All members were present, with the exception of Regent Chapey, who was excused.

MATTERS NOT REQUIRING BOARD ACTION

Transition Planning and Services for Students with Disabilities

Your Committee was provided with information on new Department initiatives to improve transition planning and employment outcomes for student with disabilities. Discussion included an update on specific strategies that ACCES-VR and P-12 Office of Special Education are taking to address strategic plan action goals. Specific action goals discussed were strengthening collaborations across the Department, schools, stakeholders and community providers; expanding options for paid and unpaid work experiences; and, devoting additional IDEA and RSA resources to improve transition services and outcomes for individuals with disabilities. If the Board of Regents supports these action goals, the Department will implement them. [P-12/ACCES (D) 1]

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on September 16, 2012. All members were present, with the exception of Regent Chapey, who was excused.

MATTERS NOT REQUIRING BOARD ACTION

Proposed amendment of section 100.7 of the Regulations of the Commissioner, relating to the transition to a new High School Equivalency Test

Your Committee discussed the recommendation that the Board of Regent's allow, for a limited time, a passing score on one or more sub-tests of the 2002 GED[®] exam to be accepted as a passing score for the corresponding sub-test on the Test Assessment of Secondary Completion (TASC). Specifically, passing sub-test scores earned by taking the 2002 edition of the GED[®] exam would be accepted as a passing score on the corresponding sub-tests of the TASC from 2014 through 2015. The Department feels that this will help to ensure a seamless transition to the new exam. If the Board of Regents supports this amendment, it is anticipated that it will be presented for adoption at the December 2013 Regents meeting with a January 1, 2014 effective date. [ACCES (D) 1]

AUDITS/BUDGET AND FINANCE

The Regents Committee on Audits/Budget and Finance met as scheduled yesterday afternoon, September 16, 2013. Regents Dawson, Bendit, Jackson, Cottrell, Norwood, Phillips, Tallon, Tilles, and Young were in attendance.

Items for Discussion

Office of Audit Services Audit Plan for 2013-2014

The Committee was updated on the Office of Audit Services Audit Plan for 2013-2014.

Completed Audits

The Committee was presented with 28 audits this month. Four of the audits were issued by the Office of Audit Services, 22 by the Office of the State Comptroller (OSC) and two by the New York City Comptroller's Office. Sixteen of the audits were of school districts, five were of charter schools, three were of pre-school providers of special education services, one was a State Education Department function, one was a follow-up of a provider of after-school services, and two examined a process and a system within the New York City Department of Education.

The findings were in the areas of financial reporting, budgeting, procurement, payroll, information technology, claims processing, lease, student enrollment and billing, and program oversight.

2013 Fiscal Report

Our Chief Financial Officer briefed the Members on the August Fiscal Report. Extensive spending controls continue for all funds. General Fund spending reflects the amounts appropriated in the 2013-2014 enacted budget. General Fund accounts are in structural balance with the exception of the Tenured Teacher Hearings (TTH) account. The 2013-14 budget includes a \$6 million appropriation for TTH claims, an increase of \$2.2 million from the prior year. With these additional funds, the deficit at the end of 2013-14 is projected to be \$2.03 million. Special Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is being reduced by approximately \$700,000.

CULTURAL EDUCATION

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. Your Committee on Cultural Education Committee had its scheduled meeting on September 16, 2013. In attendance were committee members: Regents Tilles, Dawson, Bendit, Rosa Cea, Jackson Cottrell, and Brown. Absent:

In addition to CE Committee Members, in attendance were: Chancellor Tisch, Regents Cashin and Norwood, Commissioner King and Executive Deputy Commissioner Beth Berlin.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting.

Regent Tilles recognized Assistant Commissioner Chris Ward who distributed information and a poster about the 2013 Archives Student Research Awards. The announcement and posters have been distributed to all school district superintendents. The awards have been offered since 1991 and are funded by a gift from Regent Emerita Laura Chodos.

CE (D) 1 September 11 Tribute Center - Regent Tilles introduced Lee Ielpi, Board member of the September 11 Tribute Center in New York City. Ielpi provided a brief presentation on the Tribute Center and its programs. Lee introduced Jennifer Adams, the Director of Exhibitions and Education at the tribute Center. Over 80,000 school children have visited the tribute Center, with over 25,000 visiting each year. Ielpi remarked that no state has developed a 9/11 curriculum and he urged the Committee and the Board to consider adopting such a curriculum to advance the understanding of history, human development and understanding of world events.

CE (D) 2 Report on the Uncommon Approaches to the Common Core Conference
Liz Hood, Director of Educational Television and Public Broadcasting provided a report on the two-day conference hosted by the Office of Cultural Education. The conference held on August 13 and 14, targeted librarians and representatives of other cultural institutions to introduce them to the Common Core Learning Standards and help them develop methods and approaches to supporting implementation of the Standards. The conference had nearly 300 participants from across the state. Hood remarked that OCE, in partnership with P-12, is supporting regional "follow-up" conferences and is planning a second conference in 2014.

CE (D) 3 Report on 2013 Summer School of the Arts

Sara Fittizzi, Executive Director for the New York State Summer School of the Arts, provided an update on the results of this year's statewide program, remarking that over 400 students participated in this highly selective program. The program is a 4 week residential program hosted at Skidmore College in Saratoga Springs, SUNY Delhi, SUNY Oswego and SUNY Fredonia. Many students cited their participation in this program as a life-changing activity and 2013 was no exception. Fittizzi remarked that 2014 marks the 45th anniversary of the program.

CE (D) 4 Emancipation Proclamation Preservation Plan

Christina Phillips, OCE Coordinator of Facilities presented the Committee with an update on the preservation of Lincoln's Draft Emancipation Proclamation. In the spring of 2013, OCE commissioned a panel of outside experts to review the current condition of the Preliminary Emancipation Proclamation. The panel provided a detailed report with recommendations, the most important of which is to replace the current encasement for the document. The Committee was briefed on the recommendations

and OCE's plan for going forward. Phillips remarked that the committee is developing a multi-year plan to address the preservation and encapsulation of the document. Questions were asked about the approximate cost of the project. A similar project, undertaken by the New York Public Library cost approximately \$600,000.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on September 17, 2013. All Committee members were present except for Regent Geraldine Chapey who was excused. Chancellor Meryll H. Tisch, Regent James C. Dawson, and Regent Kathleen M. Cashin 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 11 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 58 consent order applications and 22 surrender applications be granted. [PPC EXS (A) 1-3]

These recommendations are made following the review of 91 cases involving twenty-seven licensed practical nurses, seventeen registered professional nurses, seven licensed practical nurses who are also registered professional nurses, five certified public accountants, five chiropractors, four architects, four dentists, two massage therapists, two occupational therapists, one clinical laboratory technologist, one licensed master social worker, one optometrist, one pharmacist, one physical therapist, one podiatrist, one psychologist, one registered professional nurse who is a nurse practitioner in both Adult Health and Psychiatry, and one veterinary technician.

It is also recommended that the Board of Regents approve the recommendation of the hearing officer and direct the State Education Department to rescind the clinical laboratory technologist license of Nya C. Walker. [PPC EXS (A) 9]

Restorations

Your Committee recommends the following:

That following such time as he passes the NAPLEX examination, as to which he shall inform the Director, Office of Professional Discipline at least seven (7) days prior to his return to practice, the execution of the surrender of the pharmacist license of Gary Grossman be stayed; that, upon his return to practice, he be placed on probation for a period of three years under the terms and conditions of probation annexed to the Report

of the Committee on the Professions as Exhibit A; and that, upon successful completion of probation, his license be fully restored. [PPC EXS (A) 4]

That the execution of the surrender of the pharmacist license of Neil E. Norwood be stayed; that he be placed on probation for one year under the terms and conditions annexed to the Report of the Committee on the Professions as Exhibit A; and that, upon successful completion of probation, his license be fully restored. [PPC EXS (A) 5]

That the application of Raymond Paas for the restoration of his license to practice as a physical therapist in the State of New York be denied. [PPC EXS (A) 6]

That the application of Jung Su Park for the restoration of his license to practice as a massage therapist in the State of New York be denied. [PPC EXS (A) 7]

That the application of Stanley F. Schoenbach for the restoration of his physician license be remanded to the Committee on the Professions. [PPC EXS (A) 8]

Approvals

Your Committee recommends approval of the following:

Regulations Relating to Pharmacy [PPC (A) 1] – That paragraph (2) of subdivision (b) of section 63.9 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 29, 2013, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to immediately conform the Regulations of the Commissioner to timely implement the requirements of Chapter 274 of the Laws of 2013, which authorizes qualified pharmacists to administer meningococcal vaccine, effective October 29, 2013.

Regulations Relating to Clinical Clerkships [PPC (A) 2] – That paragraph (2) of subdivision (f) of section 60.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 24, 2013, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to allow for the appointment of an additional member of the Board of Regents to the Advisory Committee on Long-Term Clinical Clerkships prior to the Committee's next meeting on October 25, 2013.

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 September 17, 2013, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed the following topic of interest:

Regulations Relating to Continuing Competency Requirements in Occupational Therapy [PPC (D) 2] – The proposed amendments to the Commissioner’s regulations make changes in the continuing competency requirements in occupational therapy with regard to the activities for which CE credit may be earned and the approval of sponsors. The amendments also impose a fee for the approval of sponsors and make a technical correction in existing language. These regulations will be presented for action in October.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on September 17, 2013.

Discussion Items

Presentation on Program Profiles. Your Committee discussed the Higher Education Data Profiles. The Profiles will provide useful information for the State Education Department, teacher and principal preparation programs, candidates, schools and districts, and the public that can be used for program improvement, program selection, and candidate recruitment and hiring. The Department continues to refine and enhance its information systems.

Teacher Preparation Support Program Update. Your Committee received an update of the activities and accomplishments by institutions of higher education around the state regarding preparation for certification exams, the common core and data-driven instruction.

Proposed Amendments of Sections 80-1.2, 80-1.6 and 80-2.1. Your Committee discussed proposed amendments relating to effective dates and dates of issuance of certificates issued under Part 80 of the Commissioner’s Regulations and the issuance of permanent classroom teaching certificates and school administrator/supervisor certificates to holders of expired provisional certificates. It is anticipated that the proposed amendment will come before the full Board for adoption as a permanent rule at the November 2013 Regents meeting.

President Obama’s Higher Education Plan. Your committee received an overview of the President’s new plan to make college more affordable for the middle class. The plan is focused on three areas, paying for performance, promoting innovation and competition, and ensuring that student debt remains affordable.

MOVED, that the Committee Reports be approved.

Motion by: Regent Harry Phillips 3rd
Seconded by: Regent James E. Cottrell
Action: Motion carried unanimously

ACTION ITEMS

Proposed Amendment to the Regulations of the Commissioner of Education Relating to the Advisory Committee on Long-Term Clinical Clerkships BR (A) 5

MOVED, that paragraph (2) of subdivision (f) of section 60.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 24, 2013, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to allow for the appointment of an additional member of the Board of Regents to the Advisory Committee on Long-Term Clinical Clerkships prior to the Committee's next meeting on October 25, 2013, and to permit the Chancellor to remove and replace any Committee member who fails to attend three or more consecutive Committee meetings.

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously

State Education Department August 2013 Fiscal Report BR (A) 3

MOVED, that the Board accepts the August 2013 State Education Department Fiscal Report as presented.

Motion by: Regent Harry Phillips, 3rd
Seconded by: Regent James C. Dawson
Action: Motion carried unanimously

PRESENTATION

Announcement of the Marge Tierney Scholarship Award Winner

The 2013 Marge Tierney Scholarship was awarded by Chancellor Emeritus Robert M. Bennett to Lisa Visone Gentzler.

Announcement of Scholarship Recipients

Chancellor Emeritus Robert M. Bennett and Regent James O. Jackson announced the recipients of the Chancellor McGovern Scholarships, the Regent Griffith Scholarship The recipients are as follows:

Chancellor McGovern Scholarships – Jennifer Crossen and Angela Cunningham
Regent Emlyn I. Griffith Scholarship – Anna Curtin

**Teacher of the Year
Oral**

Commissioner King announced the 2014 Teacher of the Year Award to Ashli Skura Dreher, of Lewiston-Porter Senior High School, Youngstown, New York. Ms. Dreher received the Commissioner Thomas Sobol Award and the David Johnson Award.

Maria Neira, Vice President of New York State United Teachers provided remarks.

Gregory Ahlquist, of Webster Thomas High School, Webster, New York provided an overview of his experiences as 2013 Teacher of the Year.

Ashli Dreher provided brief remarks to the Board upon presentation of her award.

Chancellor Merryl H. Tisch adjourned the meeting at 12:20 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)
Belfast Historical Society	CE	Allegany	Extend provisional charter for five years.
The Buffalo Maritime Center	CE	Erie	Amend charter to change the corporate address.
Carroll Historical Society	CE	Chautauqua	Grant provisional charter for five years.
Central Square Community Historical Society	CE	Oswego	Grant provisional charter for five years.
The Greater Winfield Historical Society	CE	Herkimer	Grant provisional charter for five years.
The Guston Foundation, Inc.	CE	New York	Application for Regents consent to file an application for authority to operate as an authorized foreign education corporation under Education Law §216-a(3)(b) and the Not-for-Profit Corporation Law.
Hip Hop Hall of Fame	CE	New York	Grant provisional charter for five years.
Middleburgh Historical Society	CE	Schoharie	Extend provisional charter for five years in lieu of granting an absolute charter.
Museum of American Theater	CE	Westchester	Grant provisional charter for five years.
Orleans County Historical Association	CE	Orleans	Extend provisional charter for five years.
Rapp Road Historical Association	CE	Albany	Extend provisional charter for five years.
Sesame Workshop	CE	New York	Consolidate with "SW Financing, Inc.", a Delaware corporation, with the Sesame Workshop, as the surviving corporation.
Springfield Historical Society	CE	Otsego	Grant provisional charter for five years.

Steel Plant Museum of Western New York	CE	Erie	Amend charter to change the corporate address.
Time and the Valleys Museum	CE	Sullivan	Extend provisional charter for five years.
Town of Crawford Historical Society	CE	Orange	Extend provisional charter for five years in lieu of granting an absolute charter.
Beit Rabban Day School	P-12	New York	Extend provisional charter for three years.
Christ the King Regional High School	P-12	Queens	Consent to filing of certificate of assumed name "CK".
EDUCORPS	P-12	Albany	Dissolve Regents certificate of incorporation and approve distribution of assets to the Leadership for Educational Achievement Foundation Corporation ("LEAF").
Iona Preparatory School	P-12	Westchester	Consolidate the chartered education corporations, Iona Grammar School and Iona Preparatory School, with Iona Preparatory School, as the surviving corporation.
The Kinder Club Pond	P-12	Suffolk	Grant provisional charter for three years.
The Kirkman Academy	P-12	Kings	Grant provisional charter for three years.
Mill Pond Nursery School	P-12	Suffolk	Grant provisional charter for three years.
Peconic Community School	P-12	Suffolk	Amend charter to change the corporate address and to add authority to operate a pre-kindergarten for children 3 to 4 years of age.
Science, Language, and Arts	P-12	Kings	Grant provisional charter for three years.
Soli Deo Gloria Classical School	P-12	Broome	Dissolve provisional charter.

South Buffalo Catholic School	P-12	Erie	Amend charter to: <ul style="list-style-type: none"> • delete two educational sites, Ambrose Catholic Academy and Trinity Catholic Academy effective end of school year 2012-2013; • specify that the pre-K through grade eight be operated at the remaining educational site at Notre Dame Academy; • change the corporate address; and extend the charter for five years.
Fingers Lakes Health College of Nursing	OP	Ontario	Extend provisional charter for five years.

SUPPLEMENTAL CHARTER APPLICATION

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
St. Mary Mother of Jesus – St. Frances Cabrini Academy	P-12	Kings	Amend charter to change the corporate name to St. Peter Catholic Academy and to extend the provisional charter by four years, <u>nunc pro tunc</u> to July 26, 2012.

Appendix II

REGENTS ACTIONS IN 91 PROFESSIONAL DISCIPLINE CASES AND 5 RESTORATION PETITIONS

September 16-17, 2013

The Board of Regents announced disciplinary actions resulting in the revocation of 5 licenses, surrender of 22 licenses, 1 of which was originally a certificate, and 64 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 5 restoration petitions.

I. REVOCATIONS AND SURRENDERS

Architecture

Mark P. Marcille; Metuchen, NJ 08840; Lic. No. 031143; Cal. No. 26832; **Application to surrender license granted. Summary:** Licensee admitted to the charge of failing to comply with the mandatory continuing education requirements to be registered to practice as an architect in the State of New York.

Robert Paul Juengert; Walnut Creek, CA 94595; Lic. No. 010502; Cal. No. 26875; **Application to surrender license granted. Summary:** Licensee did not contest the allegations that he submitted, or caused to be submitted, to the New York City Department of Buildings plans and documents bearing his seal and signature, including, but not limited to, TR-1s, when he did not perform the work represented thereby, or the inspections certified therein.

Chiropractic

Seth Peyser; Gardiner, NY 12525; Lic. No. 005852; Cal. No. 26237; **Application to surrender license granted. Summary:** Licensee did not contest charges of having been convicted of Criminal Impersonation in the 2nd Degree, and of failing to maintain a record which accurately reflects the evaluation and treatment of a patient in that a treatment summary for a period of time was used rather than a record for each individual treatment date.

Peter D. Kalkanis; Bayside, NY 11361; Lic. No. 003224; Cal. No. 26365; **Found guilty of professional misconduct; Penalty:** Revocation.

Eli David Guterman; Dewitt, NY 13214; Lic. No. 011810; Cal. No. 26842; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Forcible Touching.

Clinical Laboratory Technology Practice

Robert B. Kalish; Clinical Laboratory Technologist; Ronkonkoma, NY 11779-6433; Lic. No. 004334; Cal. No. 26880; **Application to surrender license granted. Summary:** Licensee did not contest the charge of practicing the profession of clinical laboratory technology with gross negligence on a particular occasion.

Dentistry

Wayne T. Faber; Dentist; Tenafly, NJ 07670; Lic. No. 034106; Cal. No. 26104; **Application to surrender license granted. Summary:** Licensee did not contest the charge of having been found guilty of professional misconduct in New Jersey for filing an insurance claim for capping four teeth with porcelain and gold crowns when said teeth were capped with porcelain veneer crowns.

Robert Alonso; Dentist; Somers, NY 10589; Lic. No. 042455; Cal. No. 26890; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Grand Larceny in the 2nd Degree, a felony.

Massage Therapy

Eli David Guterman; Dewitt, NY 13214; Lic. No. 019144; Cal. No. 26843; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Forcible Touching.

Karen P. Ross; Massapequa, NY 11758; Lic. No. 004424; Cal. No. 26847; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Aggravated Driving While Intoxicated, an unclassified misdemeanor.

Nursing

Julia Mae Taylor; Licensed Practical Nurse; Yonkers, NY 10701; Lic. No. 245049; Cal. No. 25275; **Found guilty of professional misconduct; Penalty:** Revocation.

Maureen J. Cavaggioni; Licensed Practical Nurse, Registered Professional Nurse; Mt. Sinai, NY 11766-3306; Lic. Nos. 211634, 581208; Cal. Nos. 26085, 26086; **Found guilty of professional misconduct; Penalty:** Revocation.

Sandra Martin Kurschner; Licensed Practical Nurse; Albion, NY 14411; Lic. No. 285643; Cal. No. 26689; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Possession of Burglary Tools, a class A misdemeanor, and Burglary in the 2nd Degree, a class C felony.

Bonnie Ann Bohacek; Licensed Practical Nurse; Fultonville, NY 12072; Lic. No. 215151; Cal. No. 26705; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Reckless Driving.

Wendy Lee Therrian; Licensed Practical Nurse; Altona, NY 12910-0162; Lic. No. 297125; Cal. No. 26717; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Computer Tampering in the 4th Degree.

Susan Ellen Hawkins; Licensed Practical Nurse, Registered Professional Nurse; Constable, NY 12926; Lic. Nos. 204753, 437374; Cal. Nos. 26729, 26730; **Application to surrender licenses granted. Summary:** Licensee did not contest charges of having been convicted of Criminal Possession of a Forged Instrument in the 3rd Degree, Welfare Fraud in the 3rd Degree, and Grand Larceny in the 3rd Degree.

John J. Ford; Licensed Practical Nurse; Waterport, NY 14571; Lic. No. 306255; Cal. No. 26779; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Willful Violation of the Public Health Law.

Lisa Merz; Registered Professional Nurse; Pulaski, NY 13142; Lic. No. 472031; Cal. No. 26805; **Application to surrender license granted. Summary:** Licensee admitted to the charge of stealing prescription pain medication.

Patricia Milczewski; Licensed Practical Nurse; Cheektowaga, NY 14225; Lic. No. 247247; Cal. No. 26840; **Application to surrender license granted. Summary:** Licensee did not contest the charge of taking medication from a facility for personal use.

Jeremy Wayne Jewett; Registered Professional Nurse; Watervliet, NY 12189; Lic. No. 619060; Cal. No. 26871; **Application to surrender license granted. Summary:** Licensee did not contest the charge of diverting controlled substances.

Roxene L. Elian; Licensed Practical Nurse; Groton, NY 13073; Lic. No. 067400; Cal. No. 26872; **Application to surrender license granted. Summary:** Licensee did not contest the charge of having forced a patient to take medication.

Pharmacy

Vincent Hsia; Pharmacist; Minersville, PA 17954; Lic. No. 041088; Cal. No. 26841; **Application to surrender license granted. Summary:** Licensee admitted to charges of having been convicted of Conspiracy to Distribute Oxycodone, a schedule II controlled substance, and Subscribing False Tax Returns, both felonies.

Podiatry

Alan Irwin Shulman; East Elmhurst, NY 11370; Lic. No. 003839; Cal. No. 26861; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of two counts of Grand Larceny in the 3rd Degree, a class D felony, and two counts of Insurance Fraud in the 4th Degree, a class E felony.

Public Accountancy

Louis Joseph Posner; Certified Public Accountant; New York, NY 10017; Lic. No. 053942; Cal. No. 26347; **Found guilty of professional misconduct; Penalty:** Revocation.

Steven M. Ginsburg; Certified Public Accountant; Jamaica, NY 11432-1117; Lic. (Cert.) No. 023700; Cal. No. 26777; **Application to surrender license (certificate) granted. Summary:** Licensee could not successfully defend against charges of failure, on more than one occasion, to file the income tax returns for a charitable trust.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Leslie Malcolm Good; Woodside, NY 11377; Lic. No. 010869; Cal. No. 26637; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$2,500 fine.

David Baier Hotson; New York, NY 10013; Lic. No. 020415; Cal. No. 26663; **Application for consent order granted; Penalty agreed upon:** 24 month stayed suspension, 2 years probation, \$5,000 fine.

Timothy Blair Seaman; Covington, KY 41011; Lic. No. 031440; Cal. No. 26892; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

Chiropractic

Andrew Lopedote; Hicksville, NY 11801; Lic. No. 006407; Cal. No. 26759; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 22 month stayed suspension, 24 months probation.

Dentistry

Iudit Goldner-Rado; Dentist; Forest Hills, NY 11375; Lic. No. 041372; Cal. No. 26504; **Found guilty of professional misconduct; Penalty:** 3 year suspension, execution of last 2 years of suspension stayed.

Han Jong Kang; Dentist; Sunnyside, NY 11104; Lic. No. 048768; Cal. No. 26725; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$1,000 fine.

Nursing

Lauren M. Weaver; Registered Professional Nurse; Rochester, NY 14609; Lic. No. 613572; Cal. No. 26036; **Found guilty of professional misconduct; Penalty:** 1 year

suspension, execution of suspension stayed, \$500 fine to be paid within 6 months after service of Order.

Oxana Shapiro; Registered Professional Nurse; Morganville, NJ 07751; Lic. No. 567232; Cal. No. 26182; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 10 month stayed suspension, 1 year probation, \$1,500 fine.

Valerie A. Belangia; Licensed Practical Nurse, Registered Professional Nurse; Brooksville, FL 34601-3301; Lic. Nos. 195815, 406480; Cal. Nos. 26342, 26343; **Found guilty of professional misconduct; Penalty:** Indefinite suspension until substance abuse-free and fit to practice, subsequent to termination of suspension, probation 1 year to commence upon actual return to practice in State of New York.

Jennifer Bliss; Registered Professional Nurse; Buffalo, NY 14220; Lic. No. 612191; Cal. No. 26427; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 1 year probation to commence upon return to practice, \$500 fine payable within 6 months.

Michele M. Boyles; Licensed Practical Nurse; Rochester, NY 14621; Lic. No. 272964; Cal. No. 26446; **Found guilty of professional misconduct; Penalty:** 2 year suspension, execution of suspension stayed.

Michelle L. Boarder; Registered Professional Nurse; Hornell, NY 14843; Lic. No. 605258; Cal. No. 26474; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for no less than 2 years and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Rachel Amelia Cassetta; Registered Professional Nurse; Fishkill, NY 12524-2439; Lic. No. 632520; Cal. No. 26516; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Jason B. Quintyne; Registered Professional Nurse; Jamaica, NY 11434; Lic. No. 600050; Cal. No. 26529; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 11 month stayed suspension, 12 months probation to commence upon return to practice.

Dean Gregory Parsons; Licensed Practical Nurse; Sayre, PA 18840; Lic. No. 223464; Cal. No. 26578; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 1 year probation to commence upon return to practice in State of New York, \$250 fine.

Stacy L. Colombo a/k/a Stacy L. Staub; Licensed Practical Nurse; Rochester, NY 14606; Lic. No. 289817; Cal. No. 26609; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

Jason Conrad Roberts; Licensed Practical Nurse; Holland Patent, NY 13354-0488; Lic. No. 282548; Cal. No. 26624; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for not less than 1 year and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Dong Dong Shi; Registered Professional Nurse; Brooklyn, NY 11232; Lic. No. 619955; Cal. No. 26651; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 24 months probation.

Debora Lynn Rivera; Licensed Practical Nurse; Bay Shore, NY 11706; Lic. No. 240236; Cal. No. 26652; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 22 month stayed suspension, 2 years probation.

Bobby Jo Wells; Registered Professional Nurse; Helena, NY 13649; Lic. No. 580531; Cal. No. 26662; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Laura J. Tomkalski; Registered Professional Nurse; Hempstead, NY 11550; Lic. No. 410127; Cal. No. 26665; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation.

Rhena Chase; Licensed Practical Nurse; Yonkers, NY 10701; Lic. No. 267118; Cal. No. 26666; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Donna Barbara Sergio; Registered Professional Nurse, Nurse Practitioner (Adult Health), Nurse Practitioner (Psychiatry); Rome, NY 13440; Lic. No. 342759, Cert. Nos. 302788, 400783; Cal. Nos. 26667, 26668, 26669; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Judy E. Fox; Licensed Practical Nurse, Registered Professional Nurse; Ontario, NY 14519; Lic. Nos. 282868, 602765; Cal. Nos. 26676, 26677; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$750 fine.

Christine E. Ayres; Licensed Practical Nurse; Stanley, NY 14561; Lic. No. 241907; Cal. No. 26678; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation.

Alisa M. Lane; Licensed Practical Nurse; Buffalo, NY 14211; Lic. No. 284284; Cal. No. 26679; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Lisa M. Lombardo a/k/a Lisa Merritt; Licensed Practical Nurse, Registered Professional Nurse; West Henrietta, NY 14586; Lic. Nos. 182510, 416483; Cal. Nos. 26680, 26681; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation.

Jesse Mannella; Registered Professional Nurse; Copiague, NY 11726-3602; Lic. No. 618170; Cal. No. 26684; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Maryanne D. Smalls; Registered Professional Nurse; Whitesboro, NY 13492; Lic. No. 580142; Cal. No. 26692; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

Julian Daniel Rodriguez; Licensed Practical Nurse; Guilderland, NY 12084; Lic. No. 308790; Cal. No. 26696; **Application for consent order granted; Penalty agreed upon:** Censure and Reprimand, 1 year probation.

Jacqueline Powell; Licensed Practical Nurse; Riverhead, NY 11901; Lic. No. 189805; Cal. No. 26697; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation to commence if and when return to practice.

Elinor Taylor-Rice; Licensed Practical Nurse, Registered Professional Nurse; Troy, NY 12180-2904; Lic. Nos. 246961, 543961; Cal. Nos. 26698, 26699; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

Ronald William Hust; Licensed Practical Nurse; Whitney Point, NY 13862; Lic. No. 232345; Cal. No. 26700; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Michelle C. Wilcox; Registered Professional Nurse; Geneva, NY 14456; Lic. No. 600896; Cal. No. 26706; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 1 year probation to commence upon return to practice.

Sharon P. Thorpe; Licensed Practical Nurse; Rochester, NY 14609; Lic. No. 118280; Cal. No. 26711; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until mentally fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Michele Dickenson a/k/a Michele A. Dickenson; Licensed Practical Nurse; Auburn, NY 13021; Lic. No. 290433; Cal. No. 26712; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$250 fine.

Paula Jeanne Maille; Licensed Practical Nurse; Lake Luzerne, NY 12846-3527; Lic. No. 289632; Cal. No. 26724; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Tiffany A. Vanalen; Licensed Practical Nurse; Schuylerville, NY 12871; Lic. No. 284759; Cal. No. 26727; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$250 fine.

Matthew James O'Connor; Registered Professional Nurse; Long Beach, NY 11561; Lic. No. 408736; Cal. No. 26728; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$1,000 fine.

Laura Jean Kerns; Licensed Practical Nurse; Hauppauge, NY 11788; Lic. No. 185673; Cal. No. 26731; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Horace John Marston; Licensed Practical Nurse, Registered Professional Nurse; Mt. Sinai, NY 11766; Lic. Nos. 248150, 584393; Cal. Nos. 26738, 26739; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

Stephanie Theresa Surman; Licensed Practical Nurse; Kenmore, NY 14217; Lic. No. 289944; Cal. No. 26745; **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.

Karen Sue Gifford; Registered Professional Nurse; Gansevoort, NY 12831; Lic. No. 481867; Cal. No. 26754; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

Sege Kalmbacher; Licensed Practical Nurse; Byron, NY 14422; Lic. No. 248214; Cal. No. 26755; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Nora Katherine Kennedy; Registered Professional Nurse; Selkirk, NY 12158; Lic. No. 615757; Cal. No. 26795; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Mandy Lynn Perez a/k/a Mandy Lynn Lamorre; Licensed Practical Nurse; Albany, NY 12209; Lic. No. 259986; Cal. No. 26797; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Patricia M. Marx a/k/a Patricia M. Ryan; Licensed Practical Nurse; Mastic Beach, NY 11951; Lic. No. 149671; Cal. No. 26862; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Occupational Therapy

Marnie Johanna Czarnecki; Occupational Therapist; Williamsville, NY 14221; Lic. No. 010184; Cal. No. 26694; **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 State of New York, \$500 fine payable within 6 months.

Jayson Paul Padua Garcia; Occupational Therapist; Staten Island, NY 10301; Lic. No. 014878; Cal. No. 26708; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$2,500 fine.

Optometry

William K. Kwik; Pittsford, NY 14534; Lic. No. 006383; Cal. No. 26428; **Found guilty of professional misconduct; Penalty:** 3 year suspension, \$10,000 fine to be paid within 6 months after service of Order.

Physical Therapy

Kerry Ann Roy; Physical Therapist; Mineola, NY 11501; Lic. No. 028695; Cal. No. 26726; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Psychology

Janet R. Mayes; New York, NY 10010; Lic. No. 006036; Cal. No. 26458; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence upon return to practice, \$2,500 fine.

Public Accountancy

Fred L. Gold; Certified Public Accountant; Woodbury, NY 11797; Lic. No. 030134; Cal. No. 26653; **Application for consent order granted; Penalty agreed upon:** 1 year actual suspension, 1 year stayed suspension, 2 years probation, \$10,000 fine.

Richard Alan Sherman; Certified Public Accountant; Berkeley Heights, NJ 07922; Lic. No. 068289; Cal. No. 26814; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

William Young Hoon Kim; Certified Public Accountant; New York, NY 10118; Lic. No. 089819; Cal. No. 26885; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

Social Work

Amanda Jeanne Hackett; Licensed Master Social Worker; Elmira, NY 14903; Lic. No. 079092; Cal. No. 26672; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Veterinary Medicine

Christopher Louis Pedersen; Veterinary Technician; East Moriches, NY 11940; Lic. No. 004533; Cal. No. 26611; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

III. RESTORATIONS

The Board of Regents voted on September 17, 2013 to grant the application for restoration of the pharmacist license of Gary Grossman, North Woodmere, NY. Mr. Grossman's license was originally surrendered October 5, 2001.

The Board of Regents voted on September 17, 2013 to grant the application for restoration of the pharmacist license of Neil E. Norwood, Briarcliff Manor, NY. Mr. Norwood's license was originally surrendered May 22, 2007.

The Board of Regents voted on September 17, 2013 to deny the application for restoration of the physical therapist license of Raymond Paas, New York, NY. Mr. Paas's license was originally surrendered March 21, 2006.

The Board of Regents voted on September 17, 2013 to deny the application for restoration of the massage therapist license of Jung Su Park, Flushing, NY. Mr. Park's license was originally revoked October 24, 2006.

The Board of Regents voted on September 17, 2013 that the application for restoration of the physician license of Stanley F. Schoenbach, Bronx, NY, be remanded to the Committee on the Professions.