



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 October 2013 Meeting

DATE: November 8, 2013

AUTHORIZATION(S): *J. B. JS Jr.*
Executive Summary

Issue for Decision

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

Proposed Handling

Approval of the Summary of October 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 October 2013 meeting.

Timetable for Implementation

Effective November 19, 2013.

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



**SUMMARY OF THE OCTOBER 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
October 21 and 22, 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, October 21, 2013 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, October 21st 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
Geraldine D. Chapey
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
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, and the Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein. Regent James E. Cottrell and Secretary, Board of Regents, Anthony Lofrumento 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 22, 2013 at 11:35 a.m. to discuss personnel matters.

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

PRESENTATION

Early Learning Challenge Grant

Commissioner John B. King Jr., Ken Slentz and Renee Rider presented information on the Early Learning Challenge Grant. (Attachment I)

Chancellor Merryl H. Tisch adjourned the meeting.

The Board of Regents of The University of the State of New York held a public session on Tuesday, October 22, 2013 at 8:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Tuesday, October 22nd at 8:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Geraldine D. Chapey
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
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, and the Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein. Regent James E. Cottrell and Secretary, Board of Regents, Anthony Lofrumento were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 8:00 a.m.

PRESENTATION

Preliminary Statewide APPR Results

Commissioner John B. King Jr. presented information on Preliminary Statewide APPR Results.(Attachment II)

Chancellor Merryl H. Tisch adjourned the meeting.

MEETING OF THE FULL BOARD, Tuesday, October 22nd at 11:50 a.m. -

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Geraldine D. Chapey
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
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, and the Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein. Regent James E. Cottrell and Secretary, Board of Regents, Anthony Lofrumento 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).

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

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

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

PROGRAM AREA CONSENT ITEMS

Higher Education

Laboratory Institute of Merchandising (LIM): Regents Authorization to Authorize LIM to Award the Bachelor of Science (B.S.) Degree BR (CA) 1

MOVED, that the Board of Regents authorize the Laboratory Institute of Merchandising to confer the Bachelor of Science (B.S.) degree on students successfully completing registered programs at the college.

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) 2

MOVED, that Part 80 of the Commissioner's Regulations be amended, as submitted, effective November 6, 2013.

P-12 Education

Proposed Amendment of §100.5 of the Regulations of the Commissioner Relating to the Transition to Common Core-Aligned Regents Examinations in English and Mathematics BR (CA) 3

MOVED, that subdivisions (a), (b) and (c) of section 100.5 of the Commissioner's Regulations be amended, and that subdivision (g) of section 100.5 be added, as submitted, effective November 6, 2013; and it is further

MOVED, that subdivisions (a), (b) and (c) of section 100.5 of the Commissioner's Regulations be amended, and that subdivision (g) of section 100.5 be added, as submitted, effective October 28, 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 July 22-23, 2013 Regents meeting remains continuously in effect until the effective date of the rule's permanent adoption.

Revision to a Charter Authorized by the Board of Regents: Urban Dove Charter School – Change of Name BR (CA) 4

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 Urban Dove 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) 5**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 6**

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

**The College of Staten Island of the City University of New York: Authorization to
Award the Master of Social Work (M.S.W.) Degree
BR (CA) 7**

MOVED, that the Board of Regents authorize the CUNY Board of Trustees to award the degree of Master of Social Work (M.S.W.) on duly qualified students successfully completing registered M.S.W. programs at the College of Staten Island effective October 22, 2013.

Motion by: Regent James C. Dawson
Seconded by: Chancellor Emeritus Robert M. Bennett
Action: Motion carried unanimously (Regent Christine D. Cea recused herself from the vote on The College of Staten Island – BR (CA) 7)

STANDING COMMITTEE REPORTS

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on October 21, 2013. All members were present.

ACTION ITEMS

New York State School for the Deaf

Your Committee recommends that the Board of Regents approve the appointment of David E. Hubman as Superintendent of the New York State School for the Deaf. [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 22, 2013, copies of which have been distributed to each Regent. [P-12 (A) 1]

MATTERS NOT REQUIRING BOARD ACTION

Safe School Task Force – Due to time constraints, this item will be discussed at the Joint P-12/Higher Education Committee meeting on October 21, 2013 [P-12 (D) 1]

Diagnostic Tool for School and District Effectiveness – Due to time constraints, this item will be discussed at the Joint P-12/Higher Education Committee meeting on October 21, 2013. [P-12 (D) 2]

Special Education Impartial Hearings – The Committee discussed proposed regulations in response to some recognizable delays in the issuance of hearing decisions and other such deficiencies, in order to streamline and create a more efficient and effective impartial hearing process for the benefit of both parties. In response to Regents discussions, public comment received during public hearings and written comments from various advocacy groups, the proposed regulations were substantially revised. The revised regulations will be published again for public comment and will be brought back to the Regents in January for final adoption. [P-12 (D) 3]

Performance Levels for Common Core Regents Examinations – The Committee discussed staff recommendations to develop aspirational performance goals for college and career readiness for the new Common Core Regents Exams (similar to the 75/80 scores on the existing ELA and Math Regents Exams, respectively) that is different from the performance level required for graduation purposes. The Committee also discussed a recommendation to provide a conversion of the new Common Core reporting scale to

score bands in the 0-100 range. Staff will come back to the Committee several times in the upcoming months to further discuss and provide rationale for these recommendations as the Department moves towards standard setting. [P-12 (D) 4]

Examination Requirements for Identifying Students with Limited English Proficiency – The Committee discussed proposed amendments to regulations that specify a new test, the New York State Identification Test for English Language Learners (NYSITELL), for purposes of identifying pupils with limited English proficiency. Specifically, the proposed amendment provides that "pupils with limited English proficiency" shall include pupils who by reason of foreign birth or ancestry, speak a language other than English and score below a State designated level of proficiency on the Language Assessment Battery-Revised (LAB-R) prior to February 1, 2014, or on the NYSITELL commencing February 1, 2014 and thereafter, or on the New York State English as a Second Language Achievement Test (NYSESLAT). The proposed amendments will come back to the Committee in January for final adoption. [P-12 (D) 5]

Grade 8 Assessment Flexibility – The Committee discussed the ESEA requirement that students who take the Algebra Regents Exam in Grade 8 also be administered the Grade 8 Mathematics Assessment to meet accountability and participation requirements. The Committee recommends that the Department submit to the United States Department of Education (USDE) a Grade 8 waiver request to eliminate this requirement. Staff will inform the field of this action so that district and school staff can consider the implications for how they provide instruction during the 2013-14 school year to students who are taking the Grade 8 Mathematics Assessment and the Algebra Regents Exam. Upon the issuance of this waiver, staff will prepare amendments to Commissioner's regulations to implement the waiver. [P-12 (D) 6]

Preschool Special Education Reapproval Review Findings – The Committee discussed preschool special education program reapproval review findings and recommended next steps for ensuring that approved preschool programs serving students with disabilities provide quality services in a necessary and cost-efficient manner and in the least restrictive environment. Next steps include convening stakeholder meetings with parents, providers, school districts, municipalities and other interested parties to identify changes to policies, including potential amendments to State regulations, which may be necessary to provide additional guidance to providers of preschool programs; discussing the review findings at a preschool meeting of the Special Education Financial Advisory workgroup to identify recommendations to address any unintended incentives in the rate setting methodology that may be contributing to the program review findings and/or inhibiting the operation of a program for preschool students with disabilities in accordance with the policy goals outlined above; and developing policy recommendations, which may include regulatory and/or rate setting methodology amendments that would ensure that the continuum of preschool special education services includes the flexibility needed to provide high quality programs to meet individual students' needs. Staff will come back in March to discuss public comment received and bring a set of policy and/or rate setting reform recommendations for review and discussion. [P-12 (D) 7]

PARCC Update – The Committee was provided with a brief update of PARCC (The Partnership for Assessment of Readiness for College and Careers) specifically relating to technology readiness, testing time and cost. The Committee recommends that New York State not administer PARCC when it first becomes available in the 2014-15 school year. New York is still committed to the goals of PARCC and will participate in the Spring 2014 field testing.

Assessment Update – The Committee was updated on the State's efforts to align curriculum, instruction and assessments to the Common Core. Staff provided information on available resources on Engageny.org including the toolkit for parent engagement, and discussed components of the APPR evaluation system and student learning objectives. Committee members commented on the need to have a better communication strategy and more professional development; and recommends that the Department assist districts to develop capacity to do curriculum adaptation.

Consent Agenda Items

The Board of Regents will take action on the following consent agenda items at their October 22, 2013 meeting.

- Common Core Transition Regulations
- Revision to the Urban Dove Charter School Revision

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on October 21, 2013. All members were present, with the exception of Regent Norwood, who was excused.

MATTERS NOT REQUIRING BOARD ACTION

Institutional Challenges to Preparing Adults for the new High School Equivalency (HSE) Exam – The Committee was provided a panel discussion on the challenges and opportunities facing adult education programs as they prepare their students for the new High School Equivalency exam which begins in January 2014. Panel Members included: Suri Duitch, University Dean for Continuing Education and Deputy to the Senior University Dean for Academic Affairs, CUNY; Dan White, District Superintendent, Monroe 1 BOCES; Timothy Lisante, Superintendent, Program for Young Adults, NYC Department of Education; and, Echo Shumaker-Pruitt, Interim Co-Executive Director/Director of Adult Education, Highbridge Community Life Center. The panel discussed some of the challenges including limited resources to support alternative and adult education teachers with training in the new Common Core Learning Standards, limited funding to purchase equipment needed to take the new test, and the ability to introduce a more complex content to a diverse student population.

The Board of Regents supports the need for additional state and federal resources needed to assure that greater numbers of students in alternative and adult education programs receive the instruction they need and required to demonstrate college and career readiness by passing the Test Assessment of Secondary Completion and earning the Regents' High school Equivalency diploma.

AUDITS/BUDGET AND FINANCE

The Regents Committee on Audits/Budget and Finance met as scheduled yesterday afternoon, October 21, 2013. Chancellor Tisch, Regents Dawson, Chapey, Bendit, Jackson, Phillips, Tallon, and Tilles were in attendance.

Items for Discussion

Completed Audits

The Committee was presented with 13 audits this month. All 13 audits were issued by the Office of the State Comptroller (OSC). Eleven of the audits were of school districts, one was of a charter school, and one was a follow-up of a provider of after-school services.

The findings were in the areas of financial reporting, budgeting, information technology, claims processing, student enrollment and billing, extra classroom activity fund, and board oversight.

2013 Fiscal Report

Our Chief Financial Officer briefed the Members on the Fiscal Report for September. Extensive spending controls continue for all funds. General Fund spending reflects the amounts appropriated in the 2013-14 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 \$2.2 million.

P-12 EDUCATION/HIGHER EDUCATION

Your P-12 Education Committee and Higher Education Committee held a joint meeting on October 21, 2013. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

Safe Schools Update – The Committee was updated on the work of the Safe Schools Task Force. The Task Force met on May 8 and discussed strong progress made in three school districts in creating a safe and health school climate. Following that discussion, four workgroups were identified to move this important agenda forward:

- Engaging Students in Building Positive School Climate
- School Reporting (DASA/VADIR)
- Legislative and Regulatory Issues
- Building Security and Infrastructure.

On November 14, 2013 the next meeting of the Task Force will be held and will be chaired by the Vice Chancellor with specific tasks to be accomplished by each workgroup and a general timeline for reporting out. [P-12 (D) 1]

Diagnostic Tool for School and District Effectiveness – The Committee was updated on the Department’s progress in implementing the Diagnostic Tool for School and District Effectiveness, a key component of New York’s approved Elementary and Secondary Education Act (ESEA) Flexibility Waiver and of New York’s strategy for turning around low performing schools. Committee members requested that a more detailed discussion be held in November and December. [P-12 (D) 2]

New Certification Assessments Update – The Committee was updated on the implementation of new, more rigorous certification assessments. Committee members discussed the standard setting process for the edTPA and accept the New York State educator panel recommendations for two cut scores: one to represent “minimum competence” in the classroom that positively contributes to student learning and one to represent master of the skills, knowledge and abilities necessary for effective teaching.

School Counselor Program Requirements – The Committee discussed the current School Guidance Program Requirements for K-12 and the School Counselor Requirements for higher education preparation programs. Discussion focused on the need to create consistency and alignment between the regulatory language as it relates to elementary and secondary guidance programs and to teacher preparation programs for individuals receiving certification in the field of counseling. This will ensure that school counselors can contribute to and assist in leading the work of preparing students to be college and career ready. Committee members requested that a sharper definition of “Guidance Counselor” be provided in future reports.

USNY Technology Policy and Practice Council (TPPC) Update – The TPPC was created almost ten years ago by the Board of Regents as a representative group of USNY members who could advise them on technology issues. The Committee was joined by the Co-Chairs of the TPPC in a discussion on assessment and online learning, including content, capacity and use. The Co-Chairs are Dr. Ellen B. Meier from Teacher’s College at Columbia University and John E. Kolb from the Rensselaer Polytechnic Institute (RPI). Issues of concern expressed by the group relating to testing are access, preparation and practice for testing; teacher support; and privacy and

security. Concerns around online learning focused on financial pressures, and the need to solve social challenges such as increasing graduation rates and better matching workforce needs. The next meeting of the TPPC is tentatively scheduled for December 18 in New York City.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on October 22, 2013. All Committee members were present, except for Regent James E. Cottrell, who was excused. Chancellor Merryl H. Tisch 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 3 cases, and further recommends that 1 summary suspension be denied. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 28 consent order applications and 1 surrender application be granted. [PPC EXS (A) 1-3]

These recommendations are made following the review of 33 cases involving ten licensed practical nurses, four registered professional nurses, three dentists, two certified public accountants, two licensed master social workers, two licensed practical nurses who are also registered professional nurses, two pharmacists, one architect, one architecture professional corporation, one licensed clinical social worker, one massage therapist, one podiatrist, and one psychologist.

Restorations

Your Committee recommends the following:

That the revocation of the license of Richard Genco to practice as a dentist in the State of New York be stayed; that he be placed on probation for a period of two years under the terms of probation of the Board of Regents; and that, upon successful completion of his probation, his license be fully restored. [PPC EXS (A) 4]

That the application of Alexander Ivashenko for the restoration of his license to practice as a physical therapist in the State of New York be granted. [PPC EXS (A) 5]

That after she has passed the North American Pharmacist Licensure Examination (NAPLEX) and the Multistate Pharmacy Jurisprudence Exam (MPJE) and has so notified the Director, Office of Professional Discipline (OPD), and the Director

determines that she satisfactorily met such conditions, it is recommended that the revocation of the license of Frances Ma to practice as a pharmacist in the State of New York be stayed; that, upon her actual return to practice as a pharmacist in the State of New York, of which she shall notify the Director, OPD at least seven days in advance of her actual return to practice, she be placed on probation for one year under the terms and conditions set forth in the Exhibit A to the Report of the Committee on the Professions; and that, following successful completion of her probation, her license be fully restored. [PPC EXS (A) 6]

Approvals

Your Committee recommends approval of the following:

Regulations Relating to Continuing Competency Requirements in Occupational Therapy [PPC (A) 1] – That section 76.10(c)(2)(iii)(b), section 76.10(c)(2)(iii)(c)(2), section 76.10(g)(2), and section 76.10(i)(2)(i) of the Regulations of the Commissioner of Education be amended and that a new section 76.10(j)(3) of the Regulations of the Commissioner of Education be added, all as submitted, effective November 6, 2013.

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on October 21, 2013, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed the following topic of interest:

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

- Full Board Consent Agenda Items
 - Board (Re)Appointments [BR (CA) 5]
 - Licensing Petitions and Conferral of Degrees [BR (CA) 6]
 - Degree Authorization – CUNY Board of Trustees College of Staten Island to award the degree of Master of Social Work [BR (CA) 7]
- Technology Update
- Legislation
- Staffing/Productivity Update
- Updates on OP Initiatives

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on October 22, 2013.

Discussion Items

Discussion on teacher certification regulations. Your Committee discussed a recommendation by the Department in consultation with the Professional Standards and Practices Board to expand the definition of part-time experience for the purposes of certification to include a minimum 360 days of part-time school experience, which shall include at least 45 days of part-time continuous school experience in the subject area of the certificate sought, consisting of at least one class period each day with a consistent group of students during such time period. This change is recommended due to the increasing difficulty for newly certified teachers to meet the experience requirements needed for professional certification. Proposed amendments will go out for public comment and come before the Board at a future meeting.

Discussion on test security mandatory reporting regulation. Your Committee discussed recommendations that the Board define specific examples of testing misconduct, that the Board establish mandatory reporting of certain instances of testing misconduct and that the Board prohibit retaliation against an employee for reporting testing misconduct. Proposed amendments will go out for public comment and come before the Board at a future meeting.

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 October 22, 2013. In attendance were committee members: Regents Tilles, Dawson, Bendit, Rosa Cea, Jackson Cottrell, and Brown

In addition to CE Committee Members, in attendance were: Chancellor Tisch, Vice Chancellor Bottar, Regents Cashin, Chapey, Norwood and Phillips as well as Executive Deputy Commissioner Beth Berlin.

ITEMS FOR DISCUSSION

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

Deputy Commissioner Jeff Cannell welcomed Carol Brown and a group of BOCES Arts in Education Coordinators who attended the meeting.

Report on Archives Month Activities

October is Archives Month throughout the United States. State Archivist Christine Ward reported on activities statewide that increase awareness of archives and the preservation of historical records. There are over 100 events scheduled during the month of October. Regent Tilles requested that the list of events be sent to all of the members of the Board so that they might be able to participate when possible.

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New Directions for Local Government Records Management Grants

Christian G. Sampson of the Local Government Records Advisory Council (LGRAC) reviewed the current status of the Local Government Records Management Improvement Fund grants to local governments. He cited the increased use of digital technology to create records and discussed LGRAC's recommendations for a change in the grant program to respond to the challenge of digital records. Sampson provided details on an analysis by LGRAC and plan for ensuring that the records management grants program remains current with the needs of local governments across the state and ensures the continued high impact of the program. He indicated that a significant amount of money will be dedicated for large-scale demonstration grants that will provide models for managing electronic records, resulting in fewer, but larger records management grants that will continue to make the local government records management grants program relevant and useful.

Update on Museum Accreditation

Mark Schaming, Director of the State Museum, provided an update on the process and progress of the Museum's efforts to receive formal accreditation from the American Alliance of Museums. He indicated that the Board of Regents will be asked to review and approve several policy documents during the next 12-18 months as the Museum moves through the accreditation process.

Focus Presentation on Ichthyology Collection, Research and Education Activities

Jeremy Wright, Museum Scientist 3 and Curator of Ichthyology reported on the collection and research activities of the Museum's Ichthyology collection. Dr. Wright highlighted the value of the collection in areas such as the study of invasive species, impact of human development and the evolution of species over time.

MOVED, that the Committee Reports be approved.

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

ACTION ITEMS

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

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

Motion by: Regent Charles R. Bendit
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously

**Acceptance of a \$450,000 one-year grant from the William & Flora Hewlett
Foundation (the "Foundation")**

BR (A) 4

and

**Acceptance of a \$300,000 two-year grant from the Ford Foundation (the
"Foundation")**

BR (A) 5

MOVED, that the Board of Regents accept the sum of \$450,000 from the
Foundation to support the work of the USNY Regents Research Fellowship Program.

MOVED, that the Board of Regents accepts the sum of \$300,000 from the
Foundation to support the work of the USNY Regents Research Fellowship Program.

Chancellor Merryl H. Tisch adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
Byron Historical Society	CE	Genesee	Extend provisional charter for five years.
Dorsky Gallery Curatorial Programs	CE	Queens	Extend provisional charter for five years.
Egbert Benson Historical Society of Red Hook	CE	Dutchess	Consolidate with “Friends of Elmendorph, Inc.”, a domestic not for profit corporation, with the Egbert Benson Historical Society of Red Hook, as the surviving corporation; change name to “Historic Red Hook”; and restate the corporate purposes.
The Hip-Hop Museum and Hall of Fame	CE	Bronx	Amend charter to change the corporate name to “National Museum of Hip-Hop”; change the corporate address and to extend provisional charter for five years.
The Historical Society of the Courts of the State of New York	CE	Westchester	Amend charter to change the corporate name to “The Historical Society of the New York Courts” and to change the corporate address.
The Jewish Children’s Museum	CE	New York	Amend charter to change the corporate address.
Marjorie Dieter Mastin Historical Society	CE	Allegany	Grant provisional charter for five years.
Monroe Free Library	CE	Orange	Amend charter to: <ul style="list-style-type: none"> • designate the library’s service area to be coterminous with the Town of Monroe excluding the Village of Kiryas Joel; • specify the number of trustees to be not less than five nor more than twenty five; • designate Commissioner as agent for service; and • add IRS dissolution language.

New York State Archeological Association	CE	Monroe	Amend charter to confirm and continue its authority to continue its practice of establishing and governing chapters and to change the corporate address.
Oyster Bay Railroad Museum	CE	Nassau	Grant an absolute charter.
Wharton Studio Museum	CE	Tompkins	Consolidate with "Ithaca Motion Picture Project, Inc.", a domestic not for profit corporation, with Wharton Studio Museum, as the surviving corporation and to restate the corporate purposes.
Al-Rasheed Academy	P-12	Erie	Amend charter to add authority to operate grades six through eight and add a second building site located 158 Wilkesbarre Avenue, Lackawanna, New York 14218.
AnNur Islamic School	P-12	Schenectady	Amend charter to add authority to operate grades nine through twelve and to extend charter for three years.
Christ the King Regional High School	P-12	Queens	Consent to filing of certificate of assumed name "Christ the King High School".
Cristo Rey Brooklyn High School	P-12	Kings	Amend charter to change the corporate address/school location and to add authority to board enrolled students while in attendance.
Good Shepherd Christian School	P-12	Ulster	Extend provisional charter for three years in lieu of granting an absolute charter.
The International Academy of Hope	P-12	New York	Grant provisional charter for three years.
Maggie Alston Early Learning Center	P-12	Bronx	Dissolve charter, approval to store student records at 60 East Kingsbridge Rd., Mt. Vernon, NY 10550 and approval to distribute assets to GrowWith Us Preschool and the Susan Wagner Day Schools.
Maria College	HE	Albany	Amend charter to add authority to confer the Bachelor of Science degree nunc pro tunc to September 17, 2013.

Touro College	OP/HE	Queens	Consent to filing of certificate of assumed name "Touro College of Pharmacy".
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Appendix II

REGENTS ACTIONS IN 33 PROFESSIONAL DISCIPLINE CASES AND 3 RESTORATION PETITIONS

October 21 - 22, 2013

The Board of Regents announced a disciplinary action resulting in the surrender of 1 license, as well as 32 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. SURRENDER

Public Accountancy

Lawrence A. Stoler; Certified Public Accountant; Allendale, NJ 07401; Lic. No. 029199; Cal. No. 26926; Application to surrender license granted. Summary: Licensee could not successfully defend against the charge of having failed to timely submit a written report to the State Education Department of receipt of written notice of a disciplinary penalty upon him relating to the practice of public accountancy issued by the United States Securities and Exchange Commission.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Michael Augustus Cosentino; Bayside, NY 11361; Lic. No. 029282; Cal. No. 26703; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 3 years probation to terminate at 2 years upon full payment of fine, \$2,500 fine.

MA Cosentino Architect PC; Bayside, NY 11361; Cal. No. 26704; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 3 years probation to terminate at 2 years upon full payment of fine, \$2,500 fine.

Dentistry

Arshjot Singh Ahuja; Dentist; New York, NY 10019; Lic. No. 054247; Cal. No. 26532; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation, \$7,500 fine.

Taiji Ueda; Dentist; New York, NY 10022; Lic. No. 044568; Cal. No. 26768; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Massage Therapy

Joelle Vacanti; Elma, NY 14059-9201; Lic. No. 021984; Cal. No. 26753; 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.

Nursing

Marianne Puglisi; Licensed Practical Nurse; West Babylon, NY 11704; Lic. No. 285285; Cal. No. 26191; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence upon return to practice.

Marco A. Gonzalez a/k/a Marco Gonzalez; Licensed Practical Nurse; New York, NY 10002; Lic. No. 101029; Cal. No. 26296; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of last year stayed, probation 2 years to commence upon return to practice.

Jeanette Thompson; Licensed Practical Nurse; Bronx, NY 10451; Lic. No. 127581; Cal. No. 26380; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 24 months probation to commence upon return to practice.

Luis B. Valenzuela; Licensed Practical Nurse; Fishkill, NY 12524; Lic. No. 275126; Cal. No. 26381; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 month and until fit to practice, upon termination of suspension, 2 years probation.

Patricia A. Masucci; Licensed Practical Nurse; Webster, NY 14580; Lic. No. 253908; Cal. No. 26485; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Ruthann R. Barge; Licensed Practical Nurse; Farnham, NY 14061; Lic. No. 271693; Cal. No. 26584; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 1 year probation, \$250 fine.

Albert R. Lovell a/k/a Albert Lovell; Registered Professional Nurse; Yonkers, NY 10701-2224, Ardsley, NY 10502; Lic. No. 621686; Cal. No. 26600; Found guilty of professional misconduct; Penalty: \$2,500 fine, 2 year suspension, execution of suspension stayed, probation 2 years.

Annelise Spinelli a/k/a Annelise Sievertsen Prahach; Licensed Practical Nurse, Registered Professional Nurse; Wappingers Falls, NY 12590; Lic. Nos. 282936, 573788; Cal. Nos. 26621, 26622; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation, \$500 fine payable within 30 days.

Kasie L. Fabiano; Licensed Practical Nurse, Saugerties, NY 12477; Lic. No. 297319; Cal. No. 26659; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jessica St. Felix; Licensed Practical Nurse; Brentwood, NY 11717-7402; Lic. No. 308319; Cal. No. 26714; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Edward C. Eason; Registered Professional Nurse; Pattersonville, NY 12137; Lic. No. 613170; Cal. No. 26721; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Cheryl Ann Coelho; Registered Professional Nurse; Ogdensburg, NY 13669; Lic. No. 483413; Cal. No. 26723; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Erick St. Louis; Licensed Practical Nurse; Riverhead, NY 11901; Lic. No. 277975; Cal. No. 26762; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 2 years probation.

Renel Denise Baker; Licensed Practical Nurse; Liverpool, NY 13088; Lic. No. 292837; Cal. No. 26775; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Evelyn Veitch Chin; Licensed Practical Nurse, Registered Professional Nurse; Baldwin, NY 11510; Lic. Nos. 232282, 653686; Cal. Nos. 26798, 26799; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation, \$2,500 fine.

Virginia Marie Prewitt; Registered Professional Nurse; South Plymouth, NY 13844-0163; Lic. No. 643374; Cal. No. 26804; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Pharmacy

John D. Clackler; Pharmacist; Plattsburgh, NY 12901; Lic. No. 035706; Cal. No. 26596; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Mark Robert Tetreault; Pharmacist; Saratoga Springs, NY 12866-6140; Lic. No. 050758; Cal. No. 26690; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Podiatry

Fred Goldberg; Suffern, NY 10901; Lic. No. 002584; Cal. No. 26747; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Psychology

Debora Soler Munczek; New York, NY 10033; Lic. No. 012924; Cal. No. 26774; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 12 months probation.

Public Accountancy

Isidor Hefter; Certified Public Accountant; Woodmere, NY 11598; Lic. No. 055409; Cal. No. 26460; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation, \$5,000 fine.

Social Work

Courtney Renee Epps a/k/a Courtney R. Epps a/k/a Courtney Epps; Licensed Master Social Worker; New Rochelle, NY 10805; Lic. No. 069277; Cal. No. 26300; Found guilty of professional misconduct; Penalty: \$500 fine, indefinite suspension for not less than 1 month and until alcohol abuse-free and until fit to practice, probation 2 years to commence upon return to practice.

Danielle Marie Russo; Licensed Master Social Worker; Brooklyn, NY 11228; Lic. No. 073655; Cal. No. 26455; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 1 month and until evaluation and successful participation in any necessary treatment and until fit to practice, upon termination of suspension, 2 years probation to commence if and when return to practice.

JoAnn N. Most a/k/a Joanne N. Most; Licensed Clinical Social Worker; New City, NY 10956; Lic. No. 040833; Cal. No. 26778; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, 2 years probation.

III. RESTORATIONS

The Board of Regents voted on October 22, 2013 to stay the execution of the order of revocation of the dentistry license of Richard Genco, South Fallsburg, NY, to place him on probation for a period of two years under the terms of probation of the Board of Regents; and that, upon successful completion of his probation, his license be fully restored. Dr. Genco's license was originally revoked November 5, 2004.

The Board of Regents voted on October 22, 2013 to grant the application for restoration of the physical therapist license of Alexander Ivashenko, Matawan, NJ. Mr. Ivashenko's license was originally surrendered May 17, 2005.

The Board of Regents voted on October 22, 2013 to stay the execution of the order of revocation of the pharmacist license of Frances Ma, Brooklyn, NY, to place her on probation for one year under specified terms and conditions, and upon successful completion of probation, to fully restore her license. Ms. Ma's license was originally revoked December 15, 2000.



Early Learning Updates

October 2013



Early Childhood Education Matters

- Every dollar invested in prekindergarten programs produces savings to taxpayers of approximately \$7 through reduction of remediation, special education, welfare and criminal justice services.*
- These investments have the greatest impacts on children from disadvantaged family backgrounds.



Belfield, Clive R. (2004) *Early Education: How Important Are the Cost Savings to the School System Research Briefing*. New York, NY: Teachers College, Columbia University

Regents Support of Early Childhood Education

- Expanding access to high-quality early learning opportunities has been a key priority of the Board.
- In 2013, the Regents State Aid proposal recommended dedicating \$75 million to provide high quality full-day programming for some of New York's most at-risk students.
 - The enacted budget included \$25 million for new pre-kindergarten full- and half-day seats.
- Our 2010 Race to the Top application was one of the few that responded to the Early Learning Priority.
 - The proposal included a \$4 million investment to implement QUALITYstarsNY in the programs feeding into the state's lowest performing schools.

Snapshot of New York's Prekindergarten Programs

- **Universal Pre-Kindergarten (UPK) (\$384.7 million)**
 - 443 school districts providing services to approximately 103,400 students.
 - 80% of students served reside in high-need districts
- **Full-day and Expanded Half-Day Pre-Kindergarten (\$25 million)**
 - Competitive grant to create new full-day placements and expand half-day seats
- **Preschool Special Education (\$1.3 billion)**
 - Services provided by approximately 500 providers to 80,000 preschool students with disabilities.

Other Early Learning Settings

- **Department of Health**
 - **Early Intervention (ages 0-3)**
 - **Early Head Start (ages 0-3)**
 - **Head Start (ages 3-5)**
- **Office of Children and Family Services**
 - **Child Care (ages 0-12)**



Early Learning Challenge - Primer

- In 2011, the US Departments of Education and Health and Human Services launched the Race to the Top-Early Learning Challenge (ELC) to provide states an opportunity to focus deeply on birth through age five early learning and development programs and close achievement gaps by supporting state efforts to build stronger services and programs for young children and their families.
 - New York participated in the state's submission, which was lead by OCFS.
- In August 2013, a new round of the ELC was launched, and the Department once again collaborated with OCFS and DOH on the development of the state's application.



Key Components of the ELC

The state's ELC application was organized around five key areas:

- **(A) Successful State Systems:** to build on the State's existing strengths and to ambitiously move forward the State's early learning and development agenda;
- **(B) High-Quality, Accountable Programs:** to create a common tiered quality rating and improvement system that is used across the state to evaluate and improve program performance;
- **(C) Promoting Early Learning and Development Outcomes:** to develop common standards within the state;
- **(D) A Great Early Childhood Workforce:** to provide professional development and career advancement opportunities; and
- **(E) Measuring Outcomes and Progress:** to inform early learning instruction and services to identify strengths and weaknesses.

QUALITYstarsNY

- **QUALITYstarsNY is the state's tiered quality rating and improvement system.**
- **In addition to QUALITYstarsNY being tested in over 200 early care and education programs, SED invested \$4 million of Race to the Top funds to implement it in the lowest-performing school districts throughout NYS.**
- **Programs are evaluated using an environmental rating scale, and resources are made available to support continuous improvement.**
- **The ELC application proposes to expand QUALITYstarsNY by recruiting over 2,000 programs serving children with high needs in a 4-year period and to provide targeted supports in a regional structure to improve program quality.**

Pre-K Foundation for the Common Core

- **As QUALITYstarsNY is rolled out, programs will receive points as they implement curriculum that addresses all of the developmental domains and aligns with the Pre-K Foundation for the Common Core.**
- **Web-based applications and online supports will be created to assist administrators, teachers, and family child care providers to implement instruction aligned to the Pre-K Foundation for the Common Core.**
- **A new train-the-trainer module will be designed to educate and build the capacity of trainers and higher education faculty on the content and intended use of the Pre-K Foundation for the Common Core.**

Kindergarten Readiness

- Regulations currently require the screening of all new entrants to our schools to determine which students are possibly gifted, have or are suspected of having a disability, and/or are English proficient.
- The application proposes to establish an Advisory Council to provide advice to the Board on the development of a tool to take an inventory of a child's skills at kindergarten entry.
- Such a process will not require a test or assessment in the traditional sense, but rather a tool to help teachers understand a student's skills to better understand gaps in knowledge and where to focus instruction and support.

Early Learning Inventory of Skills (ELIS)

- The goal of ELIS will be to establish an individual developmental baseline for each student.
- This will allow educators, parents, and policymakers to more fully understand the level of skills, abilities and knowledge possessed by children at the time of kindergarten entry.
- It will not be used by administrators or parents to prevent children from being admitted to Kindergarten.

Development of ELIS

(contingent upon an ELCG award to New York)

- The Board of Regents voted during its September 2013 meeting to develop a tool that will meet these requirements and be implemented by the 2016-2017 school year.
- The Regents will appoint an Advisory Council composed of educators, stakeholders and providers to support the development and implementation of ELIS.
- The Regents have a rich history of developing age-appropriate assessment tools.
- The development of ELIS will build off of this tradition and expertise.

Next Steps

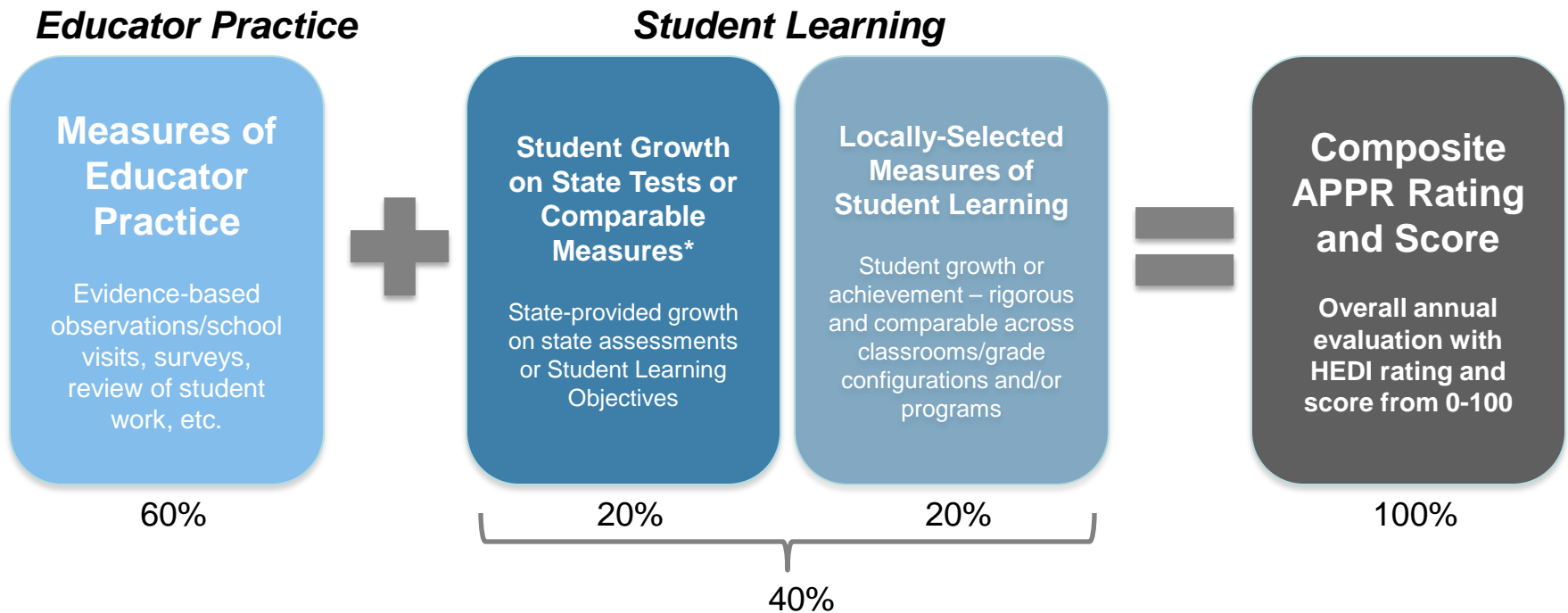
- **The state's application was submitted on October 16.**
- **Awards are expected to be announced in December 2013.**

Composite Scores 2012-13: Preliminary APPR Results



Components of the APPR Evaluation System

- Evaluations include educator practice and student learning measures
- Measures result in single composite educator effectiveness score



* In 2014-15, the State will use a value-added measure. At that point, State-provided growth measures will count for 25% for applicable educators and local measures will count for 15%.

With the change in 3-8 State assessments in 2012-13, the distribution of State-provided growth ratings remained similar to the year before for teachers.

Growth Ratings	2011-12 Percent of Teachers	2012-13 Percent of Teachers*
Highly Effective	7%	7%
Effective	77%	76%
Developing	10%	11%
Ineffective	6%	6%

*Note: 38,384 ratings provided in 2012-13.

With the change in 3-8 State assessments in 2012-13, the distribution of State-provided growth ratings also remained similar for principals with schools including any of the grades 4-8.

Growth Ratings	2011-12 Percent of 4-8 Principals	2012-13 Percent of 4-8 Principals*
Highly Effective	6%	9%
Effective	79%	75%
Developing	8%	9%
Ineffective	7%	7%

*Note: Some of the principals in this chart also have grades 9-12 so their 2012-13 growth rating for grades 4-8 is not the final result for APPR purposes. 3,460 ratings provided in 2012-13.

Preliminary Statewide Composite HEDI Results: Teachers

HEDI Summary (Teachers)

126,849 (3,920 no composite reported – 3.1%)

HEDI Rating	STATE-WIDE	
Highly Effective	49.7%	} 91.5%
Effective	41.8%	
Developing	4.4%	
Ineffective	1.0%	
Total	96.9%	

*Note: This summary reflects the data that were reported to the Department by Districts and BOCES as of the 10/18/2013 deadline. The data does not include NYC educators; NYC is in the first year of its evaluation plan in 2013-14 and there are no composite ratings for 2012-13.

Preliminary Statewide Composite HEDI Results: Principals

HEDI Summary (Principals)

3,207 Reported (115 no composite reported – 3.6%)

HEDI Rating	STATE-WIDE	
Highly Effective	26.0%	} 86.9%
Effective	60.9%	
Developing	7.5%	
Ineffective	2.1%	
Total	96.5%	

*Note: This summary reflects the data that were reported to the Department by Districts and BOCES as of the 10/18/2013 deadline. The data does not include NYC educators; NYC is in the first year of its evaluation plan in 2013-14 and there are no composite ratings for 2012-13.