

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

TO: The Honorable the Members of the Board of Regents

FROM: Tony Lofrumento anthony Cofuments Je

SUBJECT: Summary of the October 2014 Meeting

DATE: November 10, 2014

AUTHORIZATION(S):

Executive Summary

Issue for Decision

Review of the Summary of the October 2014 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of October 2014 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 2014 meeting.

<u>Timetable for Implementation</u>

Effective November 18, 2014.

VOTED, that the Summary of the October 2014 Meeting of the Board of Regents of The University of the State of New York be approved.



SUMMARY OF THE OCTOBER 2014 MEETING OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

Albany, New York
October 20 and 21, 2014

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 20, 2014 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, October 20 at 9:00 a.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
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
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 Josephine Victoria Finn 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, October 21, 2014 at 11:15 a.m. to discuss personnel matters.

Motion by: Vice Chancellor Anthony S. Bottar

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

ACTION ITEM

Proposed Amendments to Sections 100.2 and 100.5 of the Regulations of the Commissioner of Education Relating to Pathways to Graduation, Global History and Geography Course Requirements, and the Global History Regents Exam BR (A) 4

Cosimo Tangorra and Chuck Szuberla lead a presentation on the proposed amendments to sections 100.2 and 100.5 of the Regulations of the Commissioner of Education relating to pathways to graduation, global history and geography course requirements, and the global history regents exam (Attachment I).

MOVED, that Department staff is directed to proceed with finalizing proposed amendments to Commissioner's Regulations §§100.2 and 100.5, as submitted, and to present the proposed amendment for adoption at the January 2015 Regents meeting, after publication of a Notice of Proposed Rule Making in the State Register and expiration of the 45-day public comment period prescribed in the State Administrative Procedure Act.

Chancellor Merryl H. Tisch adjourned the meeting.

MEETING OF THE FULL BOARD, Tuesday, October 21 at 11:25 a.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
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
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. Vice Chancellor Anthony S. Bottar and Regents Wade S. Norwood and Josephine Victoria Finn were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 11:25 a.m.

ACTION ITEMS

Charter Applications BR (A) 1

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

Supplemental Charter Application BR (A) 1 – SUPPLEMENTAL

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

Summary of the September 2014 Meeting of the Board of Regents BR (A) 2

MOVED, that the Summary of the September 2014 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Roger Tilles

Seconded by: Chancellor Emeritus Robert M. Bennett

Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

Higher Education

The City University of New York College of Staten Island: Regents Authorization to Award the Bachelor of Fine Arts (B.F.A.) Degree BR (CA) 1

MOVED, that the Board of Regents authorizes the City University of New York Board of Trustees to confer the Bachelor of Fine Arts (B.F.A.) degree on students successfully completing registered programs at the City University of New York College of Staten Island, effective October 21, 2014.

Adoption of Amendments to Section 52.21 and Part 80 of the Regulations of the Commissioner of Education to Provide Teacher Candidates, Who Apply for Teacher Certification Prior to June 30, 2015 and Who Take and Fail the Teacher Performance Assessment (edTPA), with the Option of Obtaining and Initial Certificate if the Candidate Passes the ATS-W Prior to June 30, 2015 and Subsequent to Receiving His/Her Score on the edTPA or Who Pass the ATS-W Prior to the Requirements for the New Certification Examinations and Who Take and Fails the edTPA Prior to June 30, 2015

BR (CA) 2

MOVED, that subclause (1) of clause (b) of subparagraph (iv) of paragraph (2) of subdivision (b) of section 52.21, paragraph (2) of subdivision (b) of section 80-3.3, section 80-3.4 and subparagraph (ii) of paragraph (1) of subdivision (b) of section 80-5.13 of the Regulations of the Commissioner of Education be amended, as submitted, effective November 5, 2014.

P-12 Education

Petition of the City School District of the City of Elmira for Consent to Exceed the Constitutional Debt Limit

BR (CA) 3

MOVED, that the Board of Regents hereby give consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of

the City of Elmira in an amount not to exceed \$1,600,000 for the acquisition of school buses, vans and station wagons and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

Professional Practice

(Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions for Service on Licensure Disciplinary and/or Licensure Restoration and Moral Character Panels

BR (CA) 4

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

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

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

Motion by: Regent James C. Dawson **Seconded by:** Regent Harry Phillips, 3rd

Action: Motion carried. (Regent Christine D. Cea recused herself

from the vote on The City University of New York College of

Staten Island – BR (CA) 1)

DISCUSSION

Regent James R. Tallon, Jr. provided an overview of the State Aid Sub-Committee meeting.

ACTION ITEMS

Graduation Requirements for English Language Learners BR (A) 6

MOVED, that paragraph (7) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education be amended as submitted, effective October 21, 2014 upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately create an additional English Language Learner (ELL) specific pathway to graduation for qualifying students who are otherwise eligible to graduate but for their score on the English Language Arts (ELA)

Regents examination, so that school districts and such students are given sufficient notice to prepare for and timely implement such graduation pathway in the 2014-15 school year.

Motion by: Regent Betty A. Rosa Seconded by: Regent Roger Tilles

Action: Motion carried unanimously

STANDING COMMITTEE REPORTS

Adult Career And Continuing Education Services (ACCES)

Your ACCES Committee held its scheduled meeting on October 20, 2014. All members were present, with the exception of Regent Cashin, Regent Chapey, and Regent Norwood, who were excused. Additional members included Regent Bendit, Regent Dawson, Regent Phillips, Regent Tallon, and Regent Young.

Matters Not Requiring Board Action

ACCES Budget Priorities – The Committee was provided with information on the additional \$5 million state fund budget request for High School Equivalency (HSE). This budget request would provide under-educated, out-of-school youth and adults with the skills and credentials required for workforce success, including greater programming for a more rigorous high school equivalency diploma that began administration in 2014. The Committee was also provided with an update on the federal legislative priority Reauthorization of the Workforce Investment Act, which is now referred to as the Workforce Innovation Opportunities Act (WIOA). ACCES' Adult Education and Vocational Rehabilitation offices are under this federal statue. WIOA calls for a single unified State Plan from New York. Work is currently underway with the Department's Office of ACCES and the New York State Department of Labor to create a unified state plan and shared data reporting.

Audits/Budget and Finance

The Regents Committee on Audits/Budget and Finance met as scheduled yesterday, October 20, 2014. Regents Dawson, Phillips, Tilles, Bendit, and Tallon were in attendance.

Items Discussed

Completed Audits

The Internal Audit Workgroup reviewed the 16 audits that are being presented to the Committee this month. One audit was issued by the Office of Audit Services and 15

were by the Office of the State Comptroller (OSC). Fifteen audits were of school districts and one was an audit of a Department's function.

The findings were in the areas of budgeting, access control over student information system, financial reporting, cash, and capital construction.

2014 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 2014-15 enacted budget. General Fund accounts are in structural balance. 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 \$400,000.

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 October 20, 2014.

In attendance were committee members: Regents Tilles, Dawson, Bendit, Rosa, Cea, Cottrell and Brown. In addition to CE Committee Members, in attendance were Chancellor Tisch, Regents Phillips and Cashin, Commissioner King and Executive Deputy Commissioner Berlin.

Items for Discussion

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

Summer School of the Arts Video and Report

Sara Fittizzi, Executive Director of the Summer School of the Arts provided an update to the Committee on the recently completed 2014 season of the Summer School of the Arts. The presentation included a video that was created by NYSED Communications to promote and educate parents and teachers about the program. She also introduced Carolyn Adams, the Artistic Director for the School of Dance. Ms. Adams shared her perspective on the program and expressed her gratitude and the gratitude of other faculty and students for the support of the Board of Regents for the program.

Review of Archives Month Activities Statewide

October is Archives month across the United States. Thomas Ruller, Acting State Archivist, reported on what Archival and manuscript repositories across New York State are doing as they celebrate during October. Archives staff members Kathleen Roe,

Maria Holden, Julie Daniels and James Folts shared four specific examples of the importance of archives to community groups, public policy researchers, individuals and ethnic communities. .

Broadband Implementation in Libraries

Thomas Ruller, in his capacity as Director of Operations for OCE substituted for Bernard Margolis, State Librarian. Mr. Ruller provided an update to the Committee on the status of broadband implementation in libraries statewide, the value of broadband capacity and current issues regarding expansion of higher capacity broadband.

Legislative and Budget Priorities and Federal Legislative Status

Deputy Commissioner Jeffrey Cannell presented to the committee an update on Federal legislation and initiatives that affect cultural institutions and libraries. Mr. Cannell specifically mentioned a request for an increase of 1.4 milion for library construction. He also reviewed the status of federal funding for the Institute of Library and Museum Studies and the National Archives and encouraged the Board to support funding levels for those institutions.

Higher Education

Your Higher Education Committee held its scheduled meeting on October 21, 2014

Items not requiring action:

Presentation on Adaptive Learning

Your Committee heard a presentation from Dr. Ulrik Juul Christensen on Adaptive Learning. The focus of the presentation was on how individuals learn and how we can use technology to support and enhance that learning. Dr. Christensen discussed his research of the mechanisms individuals use to learn and recall new information, how quickly they can do this, and how we know when an individual has been overcome with new information and needs to break from the learning activity.

Legislative and Budget Priorities

Your Committee reviewed and discussed the proposed 2015 State and Federal Legislative Priorities and the 2015-16 State Budget Priorities. These priorities are scheduled to be approved at the November 2014 Board Meeting

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on October 20, 2014. All members were present.

Action Items

Great Oaks Charter School [P-12 (A) 1]

Your Committee recommends 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 Great Oaks Charter School and amends the provisional charter accordingly.

Common Core Regents Examination in English Language Arts [P-12 (A) 2]

Your Committee recommends that subdivision (g) of section 100.5 of the Commissioner's Regulations be amended, effective October 21, 2014, as an emergency measure 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 school districts and students are given sufficient notice to prepare for and timely implement in the 2014-2015 school year the provision providing, at the local school district's discretion, additional opportunities for students enrolled in Common Core English Language Arts courses to take the Regents Comprehensive Examination in English in addition to the Regents Examination in English Language Arts (Common Core) at the January 2015, June 2015, and August 2015 examination administrations, and to meet the English requirement for graduation by passing either examination.

Graduation Requirements for English Language Learners [P-12 (A) 3]

Your Committee recommends that paragraph (7) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education be amended as submitted, effective October 21, 2014 upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately create an additional English Language Learner (ELL) specific pathway to graduation for qualifying students who are otherwise eligible to graduate but for their score on the English Language Arts (ELA) Regents examination, so that school districts and such students are given sufficient notice to prepare for and timely implement such graduation pathway in the 2014-15 school year.

The Committee's recommendation has been superseded by full Board item BR (A) 6.

Clarification of the Duration of Competition Rule [P-12 (A) 4]

Your Committee recommends that subclause (1) of clause (b) of subparagraph (ii) of paragraph (7) of subdivision (c) of section 135.4 of the Regulations of the Commissioner of Education be amended as submitted, effective October 21, 2014, 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 adopt the proposed amendment to clarify when a student's eligibility for senior high school athletic competition may be extended because of illness or accident, so that school districts may determine the eligibility of affected students and allow for participation of eligible students in senior high school athletic competition during the Fall season of the 2014-2015 school year.

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 21, 2014, copies of which have been distributed to each Regent.

Matters not Requiring Board Action

New York's Statewide Strategic Plan for Science and P-12 Science Learning Standards [P-12 (D) 1] – The Committee discussed the Statewide Strategic Plan for Science and was provided a timeline for approval of the plan and the consideration of science standards by the Board of Regents. The Committee directed staff to post a draft of the plan for public comment and present a final version to the Board for adoption in January 2015. Additionally, the Committee authorized staff to move forward with a process to update and develop a new set of science learning standards, as developed by NYS science education stakeholders that unifies the strengths of the Next Generation Science Standards, the current NYS Science Learning Standards, and the work that has been done in other states to best serve the needs of New York State's students. It is anticipated that these new science learning standards will be presented to the Regents in early 2016.

Flexibility for the Administration of Regents Examinations in Mathematics (Common Core) to Grades 7 and 8 Students [P-12 (D) 2] – The Committee discussed proposed amendments to regulations to eliminate the need for "double-testing" so that school districts and charter schools may administer only the Regents Examinations in Mathematics (Common Core) to grade 7 and 8 students without also having to administer the grade level mathematics assessment in the 2014-15 school year.

Use of Diagnostic Tool for School and District Effectiveness to Inform School and District Improvement Planning [P-12 (D) 3] — The Committee was provided with an update on the current process by which districts and schools use the Diagnostic Tool for School and District Effectiveness (DTSDE) to develop District Comprehensive Improvement Plans (DCIP) and School Comprehensive Education Plans (SCEP). This school year, a pilot cohort of nine districts are engaged in a series of intensive professional development sessions that will result in a new Strategic Plan for School Excellence, which is a three-year strategic plan for improvement based on the DTSDE rubric. The districts will use ten Conceptual Frames, which are organized around the actions schools must take to improve effectiveness. DTSDE reports can be found on the Department's website at:

http://www.p12.nysed.gov/accountability/School_Improvement/SchoolImprovementDTS DE.html

English Language Learners and Dual Language Learners in Prekindergarten [P-12 (D) 4] – The Committee on Bilingual Education in Prekindergarten Programs, established in May 2014, is creating a set of protocols and procedures to meet the needs of all children which coincide with the Department's efforts to support the language and literacy development of all students. A panel of experts discussed the importance of including bilingual programs and services in prekindergarten programs as well as ways to effectively assess the needs of English Language Learners in prekindergarten programs, including issues of equitable access and the importance of providing necessary and appropriate supports and services to students and families. Panel members included:

- Melanie Pores, Education Assistant for the New York State United Teachers.
- Luis Reyes, Research Associate and Director of Education Programs at Center for Puerto Rican Studies/Centro for the City University of New York at Hunter College.
- *Dr. Zoila Tazi*, Associate Professor & Department Chair of the Childhood Education Department at Mercy College.
- *Melissa Cruz*, ELL Teacher at Port Chester CSD.
- **Susan Grecco**, Director of Second Language Programs for Freeport Public Schools.

<u>Legislative and Budget Priorities</u> [P-12 (D) 5, 6, 7] – the Committee discussed the Board of Regents 2015 State and federal legislative priorities, which included previously advanced priorities and new legislative priorities. Also discussed were the Regents 2015-16 State Budget priorities.

Consent Agenda Items

The Board of Regents will take action on the following consent agenda items at their October 21, 2014 meeting.

• Petition of the Elmira CSD for Consent to Exceed the Constitutional Debt Limit This concludes our report.

P-12 EDUCATION/CULTURAL EDUCATION

Your P-12 Education Committee and Cultural Education Committee held a joint meeting on October 20, 2014. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

National Core Arts Standards Revision Update [P-12/CE (D) 1] – The Committees were updated on the newly released National Core Arts Standards and discussed New York

State's process of surveying arts teachers for their feedback concerning the new standards. Department staff worked with five arts professional associations and the New York State Alliance for Arts Education (NYSAAE) to develop a survey of New York State arts educators to gather feedback concerning the new National Core Arts Standards in relation to the New York State Learning Standards for the Arts. With the assistance of the arts professional associations, staff will analyze the responses by arts discipline and provide the Board with recommendations later this year.

P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING

Your P-12 Education Committee and Higher Education Committee held a joint meeting on October 20, 2014.

Items not requiring action:

Career and Technical Education Certification. Your Committees received an overview of current pathways and the respective requirements in order to obtain a career and technical education (CTE) teaching certificate. In addition, this presentation explored alternative options for CTE certification such as the model used by the National Board for Professional Teaching Standards, and issues raised by stakeholder groups and the field. Staff provided data regarding the current number of individuals certified and employed in New York State and recommendations regarding possible changes to support those seeking a CTE certificate.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on October 20, 2014. All committee members were present. Regent James R. Tallon, Jr. was 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 5 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 37 consent order applications and 12 surrender applications be granted. [PPC EXS (A) 1-3]

In the case of Brooke Michelle Fadness, Certified Athletic Trainer, Calendar No. 26638, we recommend that the recommendation of the Regents Review Committee be accepted in all respects, except that the report of the Regents Review Committee be

deemed corrected as follows: the word "certified" be deemed substituted in lieu of the word "licensed" in the caption on page one of such report; the word "certification" be deemed substituted in lieu of the word "license" on each of line three of the third paragraph on page one of such report, line three of the second paragraph in the penalty recommendation section on page three of such report, and line two of the full paragraph on page four of such report; and the words "issued a certification" be deemed substituted in lieu of the word "licensed" on the first line in finding of fact numbered one on page two of such report.

These recommendations are made following the review of 54 cases involving eleven registered professional nurses, eight dentists, seven licensed practical nurses, five licensed practical nurses who are also registered professional nurses, three pharmacists, two architects, two certified public accountants, one acupuncturist, one certified athletic trainer, one chiropractic limited liability corporation, one chiropractor, one dental professional corporation, one licensed clinical social worker, one massage therapist, one optometrist, one physical therapist assistant, one professional engineer and one psychologist.

Restorations

Your Committee recommends the following:

That the surrender of the physician license of Fredric Cohen be stayed; that he be placed on probation for a period ending two years following a determination by the Director of the Office of Professional Medical Conduct that he successfully completed a remediation plan in accordance with the Terms of Probation of the Committee on the Profession; and that, upon successful completion of probation, his license be fully restored. [PPC EXS (A) 4]

That the application of David Tomback for the restoration of his license to practice as a physician in the State of New York be denied. [PPC EXS (A) 6]

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 20, 2014, copies of which have been distributed to each Regent.

Matters not Requiring Board Action

Your Committee discussed several topics of interest, including:

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

Full Board Consent Agenda Items

- Board (Re)Appointments
- Licensing Petitions and Conferral of Degrees
- Updates on OP Initiatives
 - Technology Update, including the reduction in processing time for licensure applications as a result of scanning all nursing application documents. This process will next be implemented for applications for physician licenses.
 - Legislation Update
 - Staffing/Productivity Update
 - OP participation in SED efforts to disseminate information about Ebola and other contagious diseases.
- Legislative and Budget Priorities
 - Professional Licensure for DACA Recipients

Applied Behavior Analysis Regulations [PPC (D) 1] – The Executive Secretary of the State Board for Applied Behavior Analysis provided information about applied behavior analysis and about the implementation of legislation establishing the professions of licensed behavior analyst and certified behavior analyst assistant. [PPC (D) 1]

MOVED, that the Committee Report be approved.

Motion by: Regent James C. Dawson

Seconded by: Chancellor Emeritus Robert M. Bennett

Action: Motion carried

ACTION ITEMS

State Education Department September 2014 Fiscal Report BR (A) 3

MOVED, that the Board accepts the September 2014 State Education Department Fiscal Report as presented.

Motion by:Regent James C. DawsonSeconded by:Regent Lester W. Young Jr.Action:Motion carried unanimously

Acceptance of a \$367,500 Grant from The Leona M. and Harry B. Helmsley Charitable Trust
BR (A) 5

MOVED, that the Board of Regents accept the sum of \$367,500 from The Leona M. and Harry B. Helmsley Charitable Trust to support the work of the USNY Regents Research Fellowship Program.

Motion by:Regent James R. Tallon Jr.Seconded by:Regent James C. DawsonAction:Motion carried unanimously

At the close of the meeting, Chancellor Merryl H. Tisch recognized Chuck Szuberla for his work on CTE and State Aid.

Chancellor Merryl H. Tisch adjourned the meeting at 11:45 a.m.

Appendix I NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)	
Andover Historical Society	CE	Allegany	Grant provisional charter for five years.	
Champlain Valley Transportation Museum	CE	Clinton	Grant an absolute charter.	
Flanders Village Historical Society	CE	Suffolk	Extend provisional charter for five years.	
Friends of Hathorn House	CE	Orange	Grant a Regents certificate of incorporation.	
Fulton Public Library	CE	Oswego	Grant an absolute charter in the first instance.	
Great Neck Library	CE	Nassau	Dissolve absolute charter.	
H. Lee White Maritime Museum at Oswego		Oswego	Grant provisional charter for five years.	
Irish Cultural and Historical Society of the Mohawk Valley	CE	Oneida	Extend provisional charter for five years.	
The John Thurman Historical Society	CE	Warren	Extend provisional charter for five years in lieu of granting an absolute charter.	
Maritime 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.	
Middletown and New Jersey Railway Historical Society	CE	Orange	Extend provisional charter for five years.	
Museum of Technology	CE	Nassau	Grant provisional charter for five years.	
North East-Millerton Library	CE	Dutchess	 Amend charter to: change the number of trustee to be not less than seven nor more than thirteen; designate Commissioner as agent for service; and update IRS dissolution language. 	

Oneonta World of Learning (OWL)	CE	Otsego	Extend provisional charter for five years.
Patterson Historical Society	CE	Putnam	Extend provisional charter for five years.
Philipstown Masonic Historical Society	CE	Putnam	Extend provisional charter for five years.
Sanborn-Pekin Free Library	CE	Niagara	Amend charter to designate the library's service area and to change the number of trustees to be not less than five nor more than nine.
Save Our Ships New York	CE	New York	Extend provisional charter for five years.
Walter Elwood Museum of the Mohawk Valley	CE	Montgomery	Amend charter to change the corporate address.
Whitehall Free Library	CE	Washington	Amend charter to designate the trustee term length to be five years and to specify the number of trustees to be not less than five nor more than eleven.
Ambleside School Adirondacks	P-12	Saratoga	Grant provisional charter for three years.
New York Institute of Islamic Sciences	P-12	Queens	Grant provisional charter for three years.
Project Youth Success Academy	P-12	Bronx	Grant provisional charter for three years.
Yeshiva Yesodei Hachaim	P-12	Kings	Grant provisional charter for three years.
Daemen College	HE/OP	Erie	Amend charter to add authority to confer the Master of Social Work (M.S.W.) degree.
Dominican College of Blauvelt	HE/OP	Rockland	Amend charter to add authority to confer the Doctor of Nursing Practice Degree (D.N.P.) degree.
St. John's University, New York	HE	Queens	Amend charter to specify address locations.

Supplemental Summary Table

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
Association of	HE	Albany	Amend certificate of incorporation to
Proprietary Colleges			change the corporate address.

Appendix II

REGENTS ACTIONS IN 54 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS

October 20-21, 2014

The Board of Regents announced disciplinary actions resulting in the surrender of 12 licenses, revocation of 1 license and 1 registration, and 40 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 2 restoration petitions.

I. REVOCATIONS AND SURRENDERS

Chiropractic

Matthew Glen Keschner; New York, NY 10028; Lic. No. 010185; Cal. No. 26825; Found guilty of professional misconduct; Penalty: Revocation, \$10,000 fine to be paid within 6 months.

Chiropractic Specialties of New York, L.L.C.; New York, NY 10028; Cal. No. 26970; Found guilty of professional misconduct; Penalty: Revocation, \$10,000 fine to be paid within 6 months.

Dentistry

Gregory L. Schultz; Dentist; Bath, NY 14810-1124; Lic. No. 030045; Cal. No. 27540; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Driving While Intoxicated and of failing to disclose a criminal conviction on a license renewal application.

Marvin M. Rosenberg; Dentist; Palm Beach, FL 33480; Lic. No. 022025; Cal. No. 27712; Application to surrender license granted. Summary: Licensee admitted to charges of improperly placing implants in a patient's mouth resulting in postoperative complications; failing to properly manage the postoperative complication of numbness and pain in said patient's mouth; failing to explain to said patient the prognosis of the nerve injury; and failing to affirmatively identify the scope and source of the numbness and pain by failing to order a postoperative CT scan to affirmatively identify whether the implants caused the nerve damage by encroaching upon the nerve when they were being placed.

Hamid Reza Zehtab; Dentist; Lake Oswego, OR 97034; Lic. No. 043905; Cal. No. 27728; Application to surrender license granted. Summary: Licensee admitted to charges of failing to sterilize bite blocks and film holders, reusing single use disposable impression trays, failing to clean and sterilize metal impression trays, reusing single use

disposable "Isolite" suction attachments and failing to conduct weekly spore testing in the State of Oregon.

Nursing

Joseph P. Carelli; Registered Professional Nurse; Marcellus, NY 13108-1088; Lic. No. 652414; Cal. No. 27535; Application to surrender license granted. Summary: Licensee admitted to charges of practicing the profession of nursing with moral unfitness and of having been convicted of Criminal Sexual Act in the 3rd Degree.

George F. Gibson; Licensed Practical Nurse, Registered Professional Nurse; Frisco, TX 75034; Lic. Nos. 162131, 364840; Cal. Nos. 27608, 27611; Application to surrender licenses granted. Summary: Licensee did not contest charges of violating terms of probation imposed by the Board of Regents by not providing proof of successful completion of continuing education coursework in ethics and in recordkeeping and by failing to provide proof of current registration.

Trasy L. Jalil; Licensed Practical Nurse; St. Augustine, FL 32095; Lic. No. 296325; Cal. No. 27647; Application to surrender licenses granted. Summary: Licensee admitted to charges of having been convicted of Falsifying Business Records in the 1st Degree and of Willful Violation of Health Laws.

Patricia C. Smithmyer; Licensed Practical Nurse, Registered Professional Nurse; Kingston, NY 12401-3309; Lic. Nos. 271884, 618701; Cal. Nos. 27664, 27665; Application to surrender licenses granted. Summary: Licensee admitted to the charge of having been convicted of Willful Violation of Health Laws, a misdemeanor.

Psychology

Stephen R. Rubin; Cambridge, NY 12816; Lic. No. 004829; Cal. No. 27195; Application to surrender license granted. Summary: Licensee did not contest charges of failing to properly treat, diagnose and provide care for a patient.

Public Accountancy

Alan Ritter; Certified Public Accountant; Butner, NC 27509; Lic. No. 032225; Cal. No. 27755; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Wire Fraud (3 counts), a felony.

Social Work

Brook Anne Heichel; Licensed Clinical Social Worker; Montour Falls, NY 14865; Lic. No. 047786; Cal. No. 27716; Application to surrender license granted. Summary: Licensee did not contest the charge of having being convicted of Driving While Intoxicated.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Amiel Savaldi; Woodsburgh, NY 11598; Lic. No. 016497; Cal. No. 26633; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Frank D. Mileto; New York, NY 10002; Lic. No. 017370; Cal. No. 27512; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Athletic Training

Brooke Michelle Fadness; Sound Beach, NY 11789; Cert. No. 001851; Cal. No. 26638; Found guilty of professional misconduct; Penalty: 24 month suspension, execution of last 18 months of suspension stayed, probation 24 months to run concurrently with period of suspension.

Dentistry

William West; Dentist; New York, NY 10016; Lic. No. 033970; Cal. No. 26037; Found guilty of professional misconduct; Penalty: \$2,500 fine, 2 year suspension, execution of suspension stayed, probation 2 years.

Victor Paul Terranova; Dentist; Ridgefield, CT 06877; Lic. No. 029974; Cal. No. 26616; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,500 fine.

Queens Family Dental P.C.; 26-02 Ditmars Blvd, Astoria, NY 11105; Cal. No. 27104; Application for consent order granted; Penalty agreed upon: \$10,000 fine, 2 years probation.

William George Eliades; Dentist; Astoria, NY 11105; Lic. No. 037540; Cal. No. 27105; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Joshua Mark Prensky; Dentist; Jersey City, NJ 07302; Lic. No. 053301; Cal. No. 27556; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$5,000 fine, 100 hours public service.

Keith Lloyd Rudolph; Dentist; Fairfield, CT 06824; Lic. No. 036817; Cal. No. 27565; 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 in the State of New York, \$1,000 fine payable within 90 days.

Engineering and Land Surveying

Carl Anthony Demeter; Professional Engineer; Littleton, CO 80127; Lic. No. 068577; Cal. No. 27568; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$1,500 fine payable within 90 days.

Massage Therapy

Johnathan Charles Horkheimer a/k/a John C. Horkheimer; Gowanda, NY 14070-0311; Lic. No. 014064; Cal. No. 27312; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Nursing

Pamela Gelber; Registered Professional Nurse; Fresh Meadows, NY 11365; Lic. No. 300718; Cal. No. 26993; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, 2 years probation to commence upon return to practice, \$2,500 fine payable within 6 months.

Brandy Lee Daghita; Licensed Practical Nurse; Rome, NY 13440; Lic. No. 289738; Cal. No. 27054; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Mary Elizabeth Brusso; Licensed Practical Nurse; Elmira, NY 14904; Lic. No. 285669; Cal. No. 27198; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Heather Marie Waugh-Imbert; Licensed Practical Nurse; Selkirk, NY 12158-2903; Lic. No. 295502; Cal. No. 27226; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$250 fine.

Agnieszka Pawelec; Registered Professional Nurse; Rochester, NY 14617; Lic. No. 474234; Cal. No. 27229; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Mario A. Jones; Licensed Practical Nurse; Delmar, NY 12054-3419; Lic. No. 296704; Cal. No. 27252; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Flore Alabre; Licensed Practical Nurse; Brooklyn, NY 11203; Lic. No. 285928; Cal. No. 27268; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Timothy Charles Atkins; Licensed Practical Nurse, Registered Professional Nurse; Altona, NY 12910; Lic. Nos. 272801, 552218; Cal. Nos. 27309, 27310; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Beverly D. Lagoe; Licensed Practical Nurse; Oswego, NY 13126; Lic. No. 272632; Cal. No. 27327; 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.

Kimberly Edwards a/k/a Kimberly Peltier; Licensed Practical Nurse, Registered Professional Nurse; Clifton Park, NY 12065; Lic. Nos. 186407, 391570; Cal. Nos. 27457, 27458; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Linda Ann Darin; Licensed Practical Nurse, Registered Professional Nurse; Mamaroneck, NY 10543; Lic. Nos. 157112, 355856; Cal. Nos. 27459, 27460; Application for consent order granted; Penalty agreed upon: 9 month actual suspension, 15 month stayed suspension, 2 years probation to commence upon return to practice, \$2,000 fine payable within 9 months.

Margaret Ann Donnelly; Registered Professional Nurse; Huntington Station, NY 11746; Lic. No. 349478; Cal. No. 27473; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lynn Marie Grey; Registered Professional Nurse; Anthem, AZ 85086-3131; Lic. No. 406109; Cal. No. 27476; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until drug abuse- and alcohol abuse-free and until fit to practice, upon termination of suspension, 24 months probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Margaret McDaniel a/k/a Margaret Rose McDaniel; Registered Professional Nurse; San Jose, CA 95112; Lic. No. 345467; Cal. No. 27500; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area of not less than 6 months and until submit satisfactory written proof of successful completion of certain retraining in said certain area, 24 months probation to commence if and when return to practice in the State of New York.

Marie Amy Harris; Registered Professional Nurse; Tucson, AZ 85745-8860; Lic. No. 347942; Cal. No. 27513; 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 in the State of New York.

Daryl James Simpson; Registered Professional Nurse; Lancaster, NY 14086; Lic. No. 634812; Cal. No. 27517; 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, \$500 fine payable within 6 months.

John Michael Robinson; Registered Professional Nurse; Levittown, NY 11756; Lic. No. 497688; Cal. No. 27529; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Jennifer Weyant; Registered Professional Nurse; Marlboro, NY 12542-5615; Lic. No. 573410; Cal. No. 27542; 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.

Najla Kadri-Nielsen; Registered Professional Nurse; Piscataway, NJ 08854; Lic. No. 467846; Cal. No. 27566; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Optometry

Stuart Harvey Blankman; New York, NY 10025; Lic. No. 002630; Cal. No. 27486; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of not less than 3 months and until mentally fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$3,000 fine payable within 6 months.

Pharmacy

Srinath Thoompally; Pharmacist; Totowa, NJ 07512; Lic. No. 049132; Cal. No. 26933; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Michael Philip Swanson; Pharmacist; Bemus Point, NY 14712; Lic. No. 044250; Cal. No. 27508; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$500 fine payable within 6 months.

Eva Marie Rodriguez; Pharmacist; Brooklyn, NY 11235; Lic. No. 039755; Cal. No. 27670; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation.

Physical Therapy

David A. Cusick; Physical Therapist Assistant; Sanborn, NY 14132; Cert. No. 008675; Cal. No. 27506; 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 payable within 6 months.

Public Accountancy

Daniel Patrick Healy a/k/a Daniel P. Healy; Certified Public Accountant; Rockville Centre, NY 11571; Lic. No. 060040; Cal. No. 27516; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$1,000 fine.

III. RESTORATIONS

The Board of Regents voted on October 21, 2014 to stay the execution of the order of surrender of the physician license of Fredric Cohen, Jackson, NJ, to require successful completion of a remediation plan, and thereafter to place him on probation for two years, under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Dr. Cohen's license was originally surrendered August 1, 2006.

The Board of Regents voted on October 21, 2014 to deny the application for restoration of the physician license of David B. Tomback, Fort Lauderdale, FL. Dr. Tomback's license was originally revoked September 15, 2002.



Pathways To Graduation

Ensuring Students Graduate College, Career and Citizenship Ready

NYS Board of Regents October 20, 2014

Updated 10/24/14



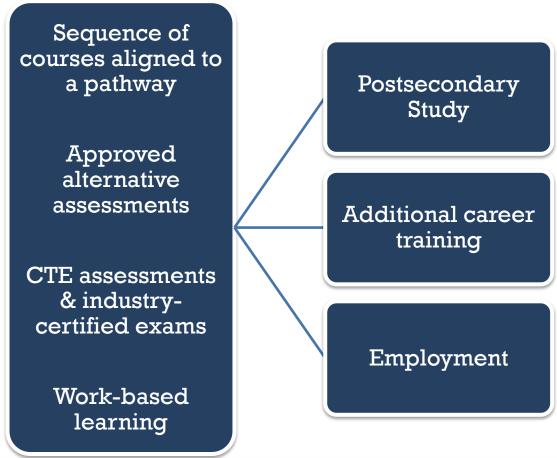
College, Career and Citizenship Readiness

Vision: College and Career Readiness in NYS will ensure that *all* students graduate high school able to succeed in postsecondary programs of study and the workforce; that they understand and demonstrate citizenship skills; and that they may meaningfully contribute to the economic and democratic well-being of our society.

Goal: By 2015, NYS will offer all students an established set of assessment pathways that are grounded in the Common Core Learning Standards, are similarly rigorous, allow for student choice and have demonstrated, effective outcomes for students.

Pathways are comparably rigorous routes to two-year and four-year colleges, additional career training, and employment.





Ensuring Rigorous Pathways

All students earning a Regents Diploma will:

- Take a balanced curriculum including: English Language Arts, Math, US History and Government, Global History and Geography, Science, a Language other than English, Art, Physical Education and Health;
- Earn a minimum of 22 High School Credits; and
- Meet required elements of their assessment pathway.

Current NYS Requirements

For a Regents Diploma

Content Area	Regents Diploma ¹ Credits Required	Regents Diploma w/Advanced Designation¹ Credits Required
Mathematics	3	3
English	4	4
Science	3	3
Social Studies	4	4
Health	0.5	0.5
Arts	1	1
Languages Other Than English(LOTE) ²	1	1
Physical Education	2	2
Sequence Courses/Electives	3.5	3.5
Total Credits	22	22
Regents Exams Score of 65 or above	5 (1 Math, 1 ELA, 1 Science, 2 SS)	8 ³ (3 Math, 1 ELA, 2 Sciences, 2 SS)

¹An Honors Designation is applicable for students earning an average of 90 on all required exams

²Students must earn additional credits in either the Arts CTE or LOTE to meet the Adv. Designation Requirements. If LOTE is chosen they must pass a Checkpoint B LOTE Exam in addition to the Regents Exams.

Students in earlier cohorts may be subject to more or fewer examinations due to the phase out of the Regents Exams in LOTE and the 2 Exam Series in Mathematics (Math A and B)

Existing Flexibility

- Integrated Credits in Approved CTE Programs
 - Allows up to 8 high school credits to be applied to respective core areas as determined at the local level
 - Requires review and approval of the curriculum by core academic teacher
- Independent Study
 - 3 elective credits
- Credit by Exam
 - 6.5 credits
- Blended and Fully Online Courses
 - No credit restrictions
 - Must follow guidelines in regulation including:
 - Instruction is delivered by or under the direction of a New York teacher, certified or otherwise qualified to teach the subject for which credit is awarded in the district or school and trained to teach in the online environment:
 - Opportunities are provided for regular and substantive interaction between the student and the teacher;
 - Course is academically rigorous and aligned to the New York State commencement level learning standards

4 + 1 Assessment Pathway

- In September 2014, the Board of Regents instructed the Department to draft regulatory amendments to implement a 4 + 1 pathway to graduation, whereby students may take four Regents exams and a comparably rigorous technical or other assessment for the fifth required examination.
- Under the proposed amendment change, the 4 +
 1 pathway option would apply beginning with
 students who are eligible to receive a high school
 diploma in June 2015 and thereafter.

4 + 1 Assessment Pathway Requirements

- Students may take four Regents exams (ELA, Math, Science, and Social Studies) and a comparably rigorous assessment for the fifth required examination to graduate.
- The fifth assessment required for graduation may include any one of the following assessments:
 - One additional social studies Regents examination or Department-approved alternative (Humanities Pathway); or
 - One additional Regents examination in a different course in mathematics or science or a Department-approved alternative (STEM Pathway); or
 - A pathway assessment approved by the Commissioner in accordance with § 100.2(f)(2) of the Commissioner's regulations (which could include a Biliteracy [LOTE] Pathway); or
 - A career and technical education (CTE) pathway assessment, approved by the Commissioner in accordance with proposed § 100.2(mm), following successful completion of a CTE program approved pursuant to § 100.5(d)(6) of the regulations (CTE Pathway); or
 - A CTE assessment that meets the approved alternative requirements for Science could be substituted for the required Science Regents exam (CTE Pathway); or
 - An arts pathway assessment approved by the Commissioner in accordance with proposed § 100.2(mm) (Arts Pathway).

Proposed Social Studies Credit Requirements

At the September 2014 Regents meeting, the P-12 Education Committee recommended that the Department consider changes to the social studies course requirements and the design of the Global History Regents examination.

Current	Proposed
Credits Required: 4 Course Requirements US History and Government (1) Participation in Government* (.5) Economics* (.5)	Credits Required: 4 Course Requirements • Global History and Geography I* (1) • Global History and Geography II* (1) • US History and Government (1) • Participation in Government* (.5) • Economics* (.5)
 Assessment Requirements Global History and Geography US History and Government *or the equivalent 	 Assessment Requirements Global History and Geography II US History and Government

Next Steps

1. Identify Pathway Assessments

- a) Establish a Blue Ribbon Panel for the Arts to identify pathway assessments for the arts
- b) Reconvene Blue Ribbon Technical Assessments Panel
- Expand the list of approved alternative assessments in other subject areas
- d) Evaluate CTE assessments that could be approved alternatives for the required Regents science exam

2. Share information about Pathways with the following groups

- a) Parents and students
- b) Teachers and guidance counselors
- c) Higher education
- d) Business and industry
- e) Big 5 and BOCES CTE directors

Next Steps (cont'd)

3. Provide opportunities for all students

- a) Enhance BOCES aid for CTE schools
- b) Modernize special services aid to Big 5 and other non-component districts
- c) Establish regional high schools
- d) Expand access to P-Tech schools

4. Expand work-based learning opportunities

- a) Add a business and industry stakeholder group focused on the 21st century workforce skills gap
- b) Help teachers identify examples of projects from business and industry
- c) Develop teacher externship opportunities in partnership with businesses

5. Increase the Number of Pathway Teachers

- a) Review routes to teacher certification in CTE
- b) Create new teacher certification areas in CTE, as needed