



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

TO: The Honorable the Members of the Board of Regents
FROM: Anthony Lofrumento
SUBJECT: Summary of the December 2012 Meeting
DATE: December 20, 2012

AUTHORIZATION(S):

John B. J. G.
Executive Summary

Issue for Decision

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

Proposed Handling

Approval of the Summary of December 2012 meeting.

Procedural History

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

Recommendation

Approval of the Summary of the December 2012 meeting.

Timetable for Implementation

Effective January 15, 2013.

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



**SUMMARY OF THE DECEMBER 2012 MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK**

Held at the State Education Building

***Albany, New York
December 10 and 11, 2012***

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

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session on Monday, December 10 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, December 10 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
James O. Jackson
Kathleen M. Cashin
James E. Cottrell
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner Valerie Grey, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent Wade S. Norwood 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 December 11, 2012 at 8:30 a.m. to discuss litigation and personnel matters.

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

UPDATES

Common Core Implementation Update

Deputy Commissioner Ken Slentz and Kate Gerson provided the Board with an update on the Common Core Implementation (Attachment I).

APPR Update

Executive Deputy Commissioner Valerie Grey and Stephanie Wood-Garnett provided the Board with an update on APPR.

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

MEETING OF THE FULL BOARD, Tuesday, December 11 at 12:10 p.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Chancellor Emeritus Robert M. Bennett
James C. Dawson
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
James O. Jackson
Kathleen M. Cashin
James E. Cottrell

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner Valerie Grey, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Charles R. Bendit, Wade S. Norwood and T. Andrew Brown were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 12:10 p.m.

ACTION ITEMS

**Charter Applications
BR (A) 1**

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

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

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

**2013 Regulatory Agenda
BR (A) 5**

MOVED, that the 2013 Regulatory Agenda for the State Education Department be approved, as submitted.

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

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services

Appointments to the New York State Independent Living Council, Inc. BR (CA) 1

MOVED, that Nicole David be appointed for a three-year term beginning January 1, 2013 and ending December 31, 2015.

MOVED, that Robert Gumson be appointed for a two-year term beginning January 1, 2013 and ending December 31, 2014.

MOVED, that Lynn Drucker, Susan Gray, Carla Lewis-Irizarry, and David Whalen be reappointed for a three-year term beginning January 1, 2013 and ending December 31, 2015.

Appointments to the New York State Rehabilitation Council BR (CA) 2

MOVED, that Martha Kearns Jackson, Beatrice Schmidt, C. William Schultz and Chad Underwood, be appointed for a three-year term beginning January 1, 2013 and ending December 31, 2015.

MOVED, that Patricia Dowse and Brett Eisenberg be reappointed for a three year term beginning January 1, 2013 and ending December 31, 2015.

Higher Education

Appointment to the State Professional Standards and Practices Board of Teaching BR (CA) 3

MOVED, that the Board of Regents approve the following appointment to the State Professional Standards and Practices Board for Teaching: Grace Barrett (teacher member) to complete the term beginning December 11, 2012 and ending June 30, 2014.

**Villa Maria College of Buffalo: Master Plan Amendment to Authorize the College to Offer a Bachelor of Business Administration (B.B.A.) Degree Program in Business Administration
BR (CA) 4**

MOVED, that the Board of Regents approve a master plan amendment to authorize Villa Maria College of Buffalo to offer its first baccalaureate degree in the discipline of Business. This amendment will be effective until December 31, 2013, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

P-12 Education

**Petition of the Ogdensburg City School District for Consent to Exceed the Constitutional Debt Limit
BR (CA) 5**

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 Ogdensburg City School District in an amount not to exceed \$57,206,400 for capital improvements, consisting of reconstruction and renovations, in part and construction to school buildings, grounds and facilities throughout the district and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

**Proposed Amendment to Sections 200.2 through 200.5 of the Regulations of the Commissioner of Education Relating to Chapters 276 and 279 of the Laws of 2012
BR (CA) 6**

MOVED, that subparagraph (i) of paragraph (11) of subdivision (b) of section 200.2, subparagraph (viii) of paragraph (1) of subdivision (a) of section 200.3, subparagraph (i) of paragraph (3) of subdivision (e) of section 200.4, and subparagraphs (iv) and (v) of paragraph (2) of subdivision (c) of section 200.5 of the Regulations of the Commissioner of Education be amended as submitted, effective January 2, 2013.

Professional Practice

**(Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions for Service on Licensure Disciplinary and/or Licensure Restoration and Moral Character Panels
BR (CA) 7**

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

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

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

**Designation of Regents Physician Shortage Areas
BR (CA) 9**

MOVED, the Regents approve the changes in the lists of designated physician shortage areas described in Attachment II (attached) with an effective date of January 1, 2013.

**Reappointment of Adjunct Members of the Regents Review Committee
BR (CA) 10**

MOVED, that the Board of Regents approve the proposed reappointments.

**Regents Permission to Operate in New York State: Yale University
BR (CA) 11**

MOVED, that the Regents approve the proposed permission to operate, effective December 11, 2012, which authorizes Yale University's School of Nursing to use clinical agencies in New York for clinical education of students enrolled in its Graduate Entry Pre-specialty in Nursing program

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

STANDING COMMITTEE REPORTS

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on December 10, 2012. All members were present, except for Regent Norwood, who was excused.

ACTION ITEMS

Initial Applications and Charters Authorized by the Board of Regents

Your Committee recommends that the Board of Regents approves and issues a charter and provisional charter to the Math, Engineering, and Science Academy (MESA) Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law. Your Committee further recommends that the Board of Regents approves and issues a charter and provisional charter to Newburgh Preparatory Academy Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law. [P-12 (A) 1]

2013 Regulatory Agenda

Your Committee recommends that the 2013 Regulatory Agenda for the State Education Department be approved, as submitted. [P-12 (A) 2]

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 December 11, 2012, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

3-12 Comprehensive Assessment Overview – the Committee was presented with an update on the Grades 3-8 ELA and Math Common Core Assessments. Discussion focused on the shifts in the assessments and the issues around the cost of providing computer based assessments vs. continuing to offer paper/pencil assessments. The Committee also looked at how the questions on the old tests compare to the new, more rigorous questions. Timelines for both the Common Core Assessments and the PARCC assessments were also discussed.

Career Skills Credential for Students with Disabilities – The Committee discussed proposed amendments to regulations that would authorize school districts and nonpublic schools to award a Career Skills Credential to a student with a disability to document his/her high school preparation for entry level employment. The credential could be awarded as a supplement to a regular high school diploma or, for a student with a disability who is unable to earn a regular diploma, as the student's exiting credential. The credential would not be considered a regular high school diploma in accordance with State standards or for federal accountability purposes and a student with a disability who exited school with this credential continues to be eligible for a free appropriate public education until the end of the school year in which the student turns age 21 or until the receipt of a regular high school diploma, whichever shall occur first. The proposed amendment will be presented for approval at the March 2013 meeting. [P-12 (D) 1]

Federal Budget and Legislative Priorities – The Committee discussed the federal budget and legislative priorities that will be advanced in the 2013 legislative session. [P-12 (D) 2]

CTE Pathway and Advisory Panel Update – The Committee was provided with an update on the preliminary findings of the CTE Content Advisory Panel. Committee members made suggestions on targeting high level CTE courses and mapping out where those high quality programs are around the State. The Committee recommends that the Board direct the Panel to finalize recommendations for supporting multiple pathways towards college and career readiness including career-focused integrated courses and programs. The Panel will meet again on December 14, 2012. Staff will present proposed regulatory language to support a CTE instructional continuum at the January 2013 meeting. [P-12 (D) 3]

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

- Petition of the Ogdensburg City School District for Consent to Exceed the Constitutional Debt Limit.
- Special Education regulations relating to additional parent member on the Committee on Special Education (CSE) membership and electronic IEP dissemination.

P-12 EDUCATION/ADULT CAREER AND CONTINUING EDUCATION (ACCES) JOINT MEETING

Your ACCES/P12 Joint Committee held its scheduled meeting on December 10, 2012. All members were present, with the exception of Regent Norwood, who was excused.

MATTERS NOT REQUIRING BOARD ACTION

Youth with Disabilities: Transition to Employment and a Positive Future – The Committee was provided a panel discussion about the role of youth and families in making the transition from school to employment through their connections with community networks. The assembled panel of youth and their family members shared life experiences with transition from school to employment and offered perspectives that enriched this important dialogue. Panel members included: Fredda Rosen, the Executive Director of JobPath; Jackson Aarons, who lives in Troy, is served by the Arc through supported employment and service coordination and works at the Bloomingrove Veterinary Hospital; Todd Irby-Ranniar, who lives in Manhattan, is a graduate of the Manhattan Occupational Training Center and works as a mail clerk at Paul, Weiss, Rifkind, Wharton and Hamilton law firm; and, family representatives Michelle Bulson and Linda Irby-Ranniar.

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on December 10, 2012. All members were present, with the exception of Regent Norwood, who was excused. Additional members of the Board attending where: Chancellor Tisch, Vice Chancellor Bottar, Regent Dawson, Regent Phillips, Regent Tallon, Regent Bendit, Regent Young, Regent Jackson, Regent Cottrell and Regent Brown.

MATTERS REQUIRING BOARD ACTION

Proposed Amendments to Part 126 of the Regulations of the Commissioner of Education Relating to the Licensure of Non-Degree Granting Proprietary Schools – The Committee was asked if the Board of Regents should adopt as an emergency measure the proposed amendment to Part 126 of the Regulations of the Commissioner of Education relating to the licensure requirements for non-degree granting proprietary schools. The amendments include the elimination of the distinction between licensed private between licensed private schools and registered business schools, the replacement of the phrase “licensed private schools” with the more descriptive “licensed private career schools”, the adjustment of fees which have not changed since 1990, and the establishment of a candidate school category that would allow a school to operate legally while it is in the process of obtaining a non-degree granting proprietary school license. The Board voted unanimously to approve the adoption of the emergency regulations. The emergency rule will take effect on December 15, 2012, the effective date of the new law.

In addition, the Committee was provided an update on the Office of ACCES’ 2013 regulatory agenda.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on December 10, 2012. All Committee members were present, except Wade S. Norwood who was excused. Chancellor Meryll H. Tisch and Regent James C Dawson were also present, but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 3 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 15 consent order applications and 6 surrender applications be granted. [PPC (A) 1-3]

These recommendations are made following the review of 24 cases involving six licensed practical nurses, three registered professional nurses, two certified public accountants, two dentists, two pharmacists, one chiropractor, one licensed mental health counselor, one licensed practical nurse who is also a registered professional nurse, one registered professional nurse who is also a nurse practitioner in adult health, one registered professional nurse who is also a nurse practitioner in community health, and one respiratory therapy technician.

Approvals

Your Committee recommends approval of the following:

Regulations Relating to Administration of Vaccinations by Pharmacists [PPC (A) 1] –That paragraphs (1) and (2) of subdivision (b) of section 63.9 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 26, 2012, and that paragraphs (1) and (2) of subdivision (b) of section 63.9 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 17, 2012, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to ensure that the emergency rule adopted at the September Regents meeting remains continuously in effect until the effective date of its adoption as a permanent rule.

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

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed several topics of interest, including:

Deputy Commissioner's Report/Update –

- Updates on Advisory Committee on Long-Term Clinical Clerkships
- Updates on Regents Advisory Workgroup on Health Care
- Full Board Consent Agenda Items
 - Board (Re)Appointments
 - Licensing Petitions
 - Reappointment of Adjunct Members to the Regents Review Committee
 - Permission to Operate – Yale University
 - Designation of Regents Physician Shortage Areas - 2013
- Technology Update
- Staffing/Productivity Update

- Updates on OP Initiatives
- Federal Budget and Legislative Priorities, including the federal and state roles in the regulation of compounding pharmacies
- 2012 Regulatory Agenda

Program Requirements in Nursing Education – Presentation of information and discussion of the education requirements and trends related to medication administration and substance-abuse prevention in nursing.

AUDITS/BUDGET AND FINANCE

The Regents Committee on Audits/Budget and Finance met as scheduled this morning, December 11, 2012. Chancellor Tisch, and Regents Cashin, Cea, Cottrell, Phillips, Tallon, and Tilles were in attendance.

Co-Chair's Remarks: Regent Chapey welcomed everyone and thanked the Chancellor and Commissioner for making visits to the districts that were impacted by Sandy.

Items for Discussion

Completed Audits

The Committee was presented with nine audits this month. Eight of the audits were issued by the Office of the State Comptroller (OSC) and one by the New York City Comptroller. The audits were of two charter schools, five school districts, one Institution of Higher Education, and one State Education Department process.

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

November 2012 Fiscal Report

Our Executive Deputy Commissioner briefed the Committee members.

The Division of Budget released mid-year statewide updates for the financial plan for the current fiscal year. The report stated that the general fund will remain balanced in the current year. However, these estimates are based on data before Hurricane Sandy.

The Department's General Fund accounts are in structural balance with the exception of the Tenured Teacher Hearings (TTH).

Special Education Fiscal Oversight - Update

Department staff continues to work on putting forth specific recommendations related to reforming the oversight of special education providers.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on December 11, 2012

ACTION ITEMS

New Community College at CUNY. Your Committee approved The New Community College at CUNY application for institutional accreditation for a period of five years, with the condition that the institution submit an interim report at the end of three years confirming effective implementation of program plans and student outcomes, including student persistence, graduation rates, and transfers to four-year baccalaureate programs in their field of study.

New York College of Health Professions. Your Committee approved the renewal of the institutional accreditation of New York College of Health Professions with conditions for a period of two (2) years. Reports must be submitted to the State Education Department on at least a quarterly basis addressing all issues of compliance with Regents standards for accreditation and demonstrating improved student performance outcomes on all professional licensure examinations. Your Committee stipulated that the Department submit quarterly reports on these matters to the Board of Regents, Higher Education Committee.

New York Conservatory for Dramatic Arts. Your Committee approved the New York Conservatory for Dramatic Arts request to award the Associate in Occupational Studies (A.O.S.) degree and to offer a program in Film and Television Performance leading to that award. This authorization will be effective until December 31, 2013, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

Amendment to Part 80 of the Regulations of the Commissioner of Education Relating to the New Teacher and School Building Leader Certification Examination Requirements. Your Committee voted to amend Part 80 of the Commissioner's Regulations relating to the timeline for the new certification examinations for teachers and school building leaders? The proposed amendment will become effective on January 2, 2013.

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Higher Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on December 11, 2012, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Proposed Amendments to Part 80 of the Regulations of the Commissioner of Education Relating to the Reciprocity Requirements for Classroom Teachers. Your

Committee discussed proposed amendments to Part 80 of the Regulations of the Commissioner of Education relating to reciprocity requirements for classroom teachers.

Test Security Update. Your Committee received an update on the progress made during the last several months based on the recommendations originally presented to the Board.

Teacher Preparation Support Programs. Your Committee received an update on the launch of the faculty development work at both SUNY and CUNY and the progress of a similar agreement with the Commission on Independent Colleges and Universities.

2013 Regulatory Agenda. Your Committee discussed the 2013 Regulatory Agenda.

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 December 2012.

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

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

ITEMS FOR DISCUSSION

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

Deputy Commissioner Jeffrey Cannell reported on the conclusion of the Statewide Emancipation Proclamation exhibition and provided an update on other OCE priority activities.

Appointment to the Regents Advisory Council on Libraries

Deputy Commissioner Cannell introduced Bernard Margolis, State Librarian and Assistant Commissioner for Libraries, who recommended the Board of Regents approve the appointment of Ann Thornton to the Regents Advisory Committee on Libraries for a five-year term beginning December 1, 2012 and ending September 30, 2017 as submitted.

Motion by Regent Rosa

Second by Regent Jackson

Passed by Unanimous Vote.

Museum History Collections Policy

Mark Schaming, Director and Assistant Commissioner of Museums lead the discussion regarding the adoption of a collections policy for the History Collections of the State Museum, thereby, replacing a 1985 policy on deaccessioning. Regent Tilles requested

that the item be tabled until the January meeting and that the draft be shared with the Museum Advisory Committee to solicit their comments. The committee agreed.

Report on Broadband Implementation Activities in Libraries

Bernard Margolis provided a detailed report on the current status of broadband capacity in libraries statewide, actions taken to increase broadband access and future direction of broadband initiatives for libraries.

Motion by Regent Rosa

Seconded by Regent Dawson

Passed by Unanimous Vote.

Regent Tilles ended the meeting by reporting on a meeting with the staff from the Center for Arts Education in New York City, attended by himself, Commissioner King and P-12 Deputy Slentz. The group agreed to work together to find a way to gather systematic data on compliance with regulations governing arts education programs in schools.

Regent Tilles also reported that he intends to reach out to the Comptroller to gain support to require boards of Libraries to receive training similar to that of boards of public schools.

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

**Regents 2013-14 Proposal on State Aid to School Districts
SA (A) 1**

MOVED, that the Regents adopt SA (A) 1 as their proposal on State Aid to school districts for the school year 2013-14.

Motion by: Regent James R. Tallon, Jr.
Seconded by: Regent Harry Phillips 3rd
Action: Motion carried unanimously

DISCUSSION ITEM

**Proposed Regents 2013 Federal Priorities
BR (D) 1**

Valerie Grey presented to the Board on the Proposed Regents 2013 Federal Priorities.

ACTION ITEMS

State Education Department November 2012 Fiscal Report BR (A) 3

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

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

Regents 2013 State Legislative Priorities BR (A) 6

MOVED, that the Regents approve the state legislative priorities.

Regents 2013-14 Budget Priorities BR (A) 7

MOVED, that the Regents approve the budget priorities as follows:

Assessment Program	\$2.5 million
Deferred Action for Childhood Arrivals Transition Fund (DACATF)	\$2.0 million
Higher Education Opportunity Program	\$2.0 million
Tenured Teacher Hearing Multi-Year Accumulated Deficit	\$9.0 million
High School Equivalency Exam	TBD
Support for Special Education Oversight	TBD

Additionally, the following Regents state legislative priorities have fiscal implications and should be considered in the 2013-14 State Budget deliberations:

- Regents State Aid Proposal
- Early Education Investment
- TAP for Early College High School Students
- Education Equity for DREAMers
- Regional High Schools
- BOCES as Regional Leaders

Lastly, technical changes will be sought to create an account and appropriation for planned fees authorized by the Board of Regents to support additional staff work related to Board of Regents Higher Education Accreditation activities.

**Acceptance of a \$1,600,000, three-year grant from the Bill and Melinda Gates Foundation
BR (A) 4**

MOVED, that the Board of Regents accept the sum of \$1,600,000 from the Bill and Melinda Gates Foundation.

**Acceptance of a \$3,500,000, three-year grant from the GE Foundation
BR (A) 9**

MOVED, that the Board of Regents accept the sum of \$3,500,000 from the GE Foundation.

**USNY Fiscal Agent Authorization
BR (A) 8**

MOVED, the Board of Regents, acting in their capacity as Trustees of the University of the State of New York, designate Mary Drzonsc, Donald Juron, and Andrew Klippel as investment agents for all funds and accounts of the University of the State of New York with power in any two of them to direct, on behalf of the Board of Regents, the investment and reinvestments of the proceeds of such funds and accounts in their discretion in accordance with the applicable provisions of the Estates, Powers and Trusts Law, and all documents necessary to carry out such powers and to disperse the proceeds of such funds and accounts for the purposes for which they were established.

Motion by: Regent James C. Dawson
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

Appointments

**Appointment of Executive Deputy Commissioner
BR (A) 10**

MOVED, that the Board of Regents approve the appointment of Elizabeth Berlin to the position of Executive Deputy Commissioner effective January 23, 2013.

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent Harry Phillips, 3rd
Action: Motion carried unanimously

Appointment of Chief Financial Officer

BR (A) 11

MOVED, that the Board of Regents approve the appointment of Donald Juron to the position of Chief Financial Officer effective December 12, 2012.

Motion by: Regent James C. Dawson
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

Chancellor Merryl H. Tisch adjourned the meeting at 12:40 p.m.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
American Italian Heritage Museum	CE	Albany	Consolidate with “American Italian Heritage Association”, a New York NFP corporation, with the American Italian Heritage Museum, as the survivor, with the new amended name “American Italian Heritage Association and Museum”.
Arvilla E. Diver Memorial Library	CE	Rensselaer	Amend charter to: <ul style="list-style-type: none"> • designate the library’s service area to be coterminous with the Village of Schaghticoke; • replace the library’s board of trustees range and term language to comply with the Rensselaer County Surrogate Court File No. 1939-73 and to set the term limits of the trustees to serve three years, with number of trustees to be not less than 5 nor more than 11; • and update IRS dissolution language.
Brentwood Historical Society	CE	Suffolk	Amend charter to change the corporate address and extend the provisional charter for five years.
Clarkson Historical Society	CE	Monroe	Extend provisional charter for five years.
Ellenburg Sarah A. Munsil Free Library	CE	Clinton	Extend provisional charter for five years.
Four County Library System	CE	Broome	Amend charter to replace the library’s trustee language and to update IRS dissolution language.

The German-American Cultural Council	CE	Nassau	Extend provisional charter for five years.
Hamilton Public Library	CE	Madison	Amend charter to designate the library's service area to be coterminous with the Village of Hamilton and to update IRS dissolution language.
The Heuvelton Historical Association	CE	St. Lawrence	Extend provisional charter for five years.
The LaGrange Historical Society	CE	Dutchess	Amend charter to update IRS language.
Long Island Native American Indian Alliance	CE	Nassau	Extend provisional charter for five years.
Norway Historical Society	CE	Herkimer	Grant an absolute charter.
Pine Bush Area Public Library District	CE	Orange	Grant an absolute charter.
Presidential Museum of Long Island	CE	Nassau	Grant a provisional charter for five years.
Schenectady Museum Association	CE	Schenectady	Consent to filing of certificate of assumed name "miSci – Museum of Innovation and Science".
Scottsville Free Library	CE	Monroe	Amend charter to: <ul style="list-style-type: none"> • designate the library's service area to be the Town of Wheatland; • specify the number of trustees to be not less than 5 nor more than 15; • designate the Commissioner as agent for service of process; • and add IRS dissolution language.
Starr Institute	CE	Dutchess	Grant a provisional charter for five years.
Tioga County Historical Society	CE	Tioga	Grant an absolute charter in the first instance.
Town of Warren Historical Society	CE	Jordanville	Grant an absolute charter.

Village Library of Morris	CE	Otsego	Amend charter to: <ul style="list-style-type: none"> • change the corporate name to “Morris Library”; • designate the library’s service area to be coterminous with the Morris Central School District; • specify the number of trustees to be not less than 7 nor more than 11; • designate the Commissioner as agent for service of process; • and add IRS dissolution language.
Bais Yaakov, Faigeh Schonberger, of Adas Yereim	P-12	Kings	Grant an absolute charter.
Castle Island Bilingual Montessori	P-12	Albany	Grant a provisional charter for three years
Hudson Valley Sudbury School	P-12	Ulster	Extend provisional charter for three years.
Mary Queen of Angels Catholic School	P-12	Erie	Extend provisional charter for five years.
Nardin Academy	P-12	Erie	Amend charter to delete section 3 pertaining to the corporation’s powers.
Spuyten Duyvil Preschool	P-12	New York	Amend charter to add IRS language.
Auburn Theological Seminary	HE	Cayuga	Consent to filing of certificates of assumed name “Face to Face I Faith to Faith”, “Groundswell”, and “Peace is Possible”.
The King’s College	HE	Westchester	Amend charter to remove the sole member, indicate that the corporation will governed by self -perpetuating board of trustees and change the corporate address.
Mount Sinai School of Medicine	HE	New York	Amend charter to change the corporate name to “Icahn School of Medicine at Mount Sinai”.
Pace University	HE	New York	Amend charter to add authority to confer the Doctor of Philosophy (Ph.D.) degree.

Villa Maria College of Buffalo	HE	Erie	Amend charter to add authority to confer the Bachelor of Business Administration (B.B.A.) degree.
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Appendix II

REGENTS ACTIONS IN 24 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

December 10-11, 2012

The Board of Regents announced disciplinary actions resulting in the revocation of 2 licenses, the surrender of 4 licenses and 2 certificates, and 16 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 1 restoration petition.

I. REVOCATIONS AND SURRENDERS

Mental Health Practitioner

Geraldine M. Gallagher; Licensed Mental Health Counselor; Saint Helena, CA 94574; Lic. No. 002668; Cal. No. 26348; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Grand Larceny in the 3rd Degree, a class E felony.

Nursing

Ann Marie Ryall; Licensed Practical Nurse; Port Washington, NY 11050; Lic. No. 225697; Cal. No. 26229; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Grand Larceny in the 3rd Degree, a class D felony; Offering a False Instrument for filing in the 1st Degree, a class E felony; and Falsifying Business Records in the 1st Degree, a class E felony.

Kevin Francis Brennan; Registered Professional Nurse, Nurse Practitioner (Community Health); Watertown, NY 13601; Lic. No. 368198, Cert. No. 320050; Cal. Nos. 26329, 26330; Application to surrender license and certificate granted. Summary: Licensee did not contest the charge of forging prescriptions for his own use.

Stacey Ann Gonzalez; Registered Professional Nurse, Nurse Practitioner (Adult Health); Moriches, NY 11955; Lic. No. 500287, Cert. No. 303849; Cal. Nos. 26405, 26404; Application to surrender license and certificate granted. Summary: Licensee admitted that she is under investigation for professional misconduct that on or about and between November, 2010 and March, 2012 on several occasions, she possessed the prescription pad of a physician and forged his signature issuing the prescription for controlled substances for her own use.

Pharmacy

Aiad Labyb Saman; Pharmacist; Staten Island, NY 10306; Lic. No. 040789; Cal. No. 25473; Found guilty of professional misconduct; Penalty: Revocation.

Respiratory Therapy

Gerald Richard Gentile; Respiratory Therapy Technician; Mount Sinai, NY 11766; Lic. No. 000013; Cal. No. 25662; Found guilty of professional misconduct; Penalty: Revocation.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Chiropractic

Gerald L. Corva; Garden City, NY 11530; Lic. No. 003399; Cal. No. 26230; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$5,000 fine.

Dentistry

Theodore Roy Belfor; Dentist; Catskill, NY 12414; Lic. No. 026821; Cal. No. 26277; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,000 fine.

Maureen Ann Khoo; Dentist; New York, NY 10011; Lic. No. 053584; Cal. No. 26285; Found guilty of professional misconduct; Penalty: Censure and Reprimand.

Nursing

Debra Ann Keller; Licensed Practical Nurse; East Northport, NY 11731; Lic. No. 174213; Cal. No. 25817; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kevin M. Graiani; Registered Professional Nurse; Stony Point, NY 10980-1335; Lic. No. 621536; Cal. No. 26114; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Diane Healey; Licensed Practical Nurse; Port Jefferson Station, NY 11776; Lic. No. 258271; Cal. No. 26226; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Deborah L. Brogna a/k/a Deborah Lynn Brogna; Licensed Practical Nurse, Registered Professional Nurse; West Babylon, NY 11704; Lic. Nos. 234391, 488378; Cal. Nos. 26312, 26313; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Amber Lee Aldrich; Registered Professional Nurse; Livonia, NY 14487; Lic. No. 557106; Cal. No. 26322; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Crystal Arnell Cobbins; Licensed Practical Nurse; Albany, NY 12206; Lic. No. 296665; Cal. No. 26334; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, 25 hours public service.

Teresa A. Bynum; Licensed Practical Nurse; Miller Place, NY 11764; Lic. No. 278348; Cal. No. 26361; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Katelin Phelan; Registered Professional Nurse; New York, NY 10032; Lic. No. 608770; Cal. No. 26369; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Felice Satia Oliver; Licensed Practical Nurse; Central Islip, NY 11722; Lic. No. 274270; Cal. No. 26370; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation to commence upon termination of probation under Order No. 25561.

Pharmacy

Jennifer VanDewater; Pharmacist; Cambridge, NY 12816; Lic. No. 054087; Cal. No. 26335; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Public Accountancy

Jacqueline Ann Higgins; Certified Public Accountant; Quincy, MA 02171; Lic. No. 097381; Cal. No. 26184; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation.

Howard L. Kleiger; Certified Public Accountant; Great Neck, NY 11021; Lic. (Cert.) No. 017471; Cal. No. 26415; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$1,000 fine.

III. RESTORATION

The Board of Regents voted on December 11, 2012 to stay the execution of the order of surrender of the physician license of Mireya Francis-Carvajal, Orange Park, FL, to place her on probation for one year under specified terms and conditions, and, upon satisfactory completion of the probationary term, to fully restore her license. Dr. Francis-Carvajal's license was originally surrendered March 4, 1997.