



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 Lofrumento Jr*  
**SUBJECT:** Summary of the December 2016 Meeting

**DATE:** December 29, 2016

**AUTHORIZATION(S):** *Mary Ellen Eia*  
**Executive Summary**

Issue for Decision

Review of the Summary of the December 2016 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of December 2016 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 2016 meeting.

Timetable for Implementation

Effective January 10, 2017.

**VOTED**, that the Summary of the December 2016 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE DECEMBER 2016 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 12 and 13, 2016***

***and***

**REGENTS RESEARCH WORK GROUP MEETING**

***Held at the State Education Building, Albany, New York***

***1411 Broadway, New York City***

***508 Main Street, Buffalo***

***Onondaga-Cortland-Madison BOCES, 110 Elwood Davis Road,***

***Liverpool***

***St. Lawrence-Lewis BOCES, 40 West Main Street, Canton***

***Southern Westchester BOCES, 450 Mamaroneck Avenue, Harrison***

***December 15, 2016***

***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 12, 2016 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, December 12<sup>th</sup> at 9:00 a.m.**

#### **Board Members in Attendance:**

Betty A. Rosa, Chancellor  
T. Andrew Brown, Vice Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Lester W. Young, Jr.  
Kathleen M. Cashin  
James E. Cottrell  
Josephine Victoria Finn  
Judith Chin  
Beverly L. Ouderkirk  
Catherine Collins  
Nan Eileen Mead  
Elizabeth S. Hakanson

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Christine D. Cea, Wade S. Norwood, Judith Johnson and Luis O. Reyes were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 9:00 a.m. and asked Regent James Cottrell to provide thoughts for a moment of reflection.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session, Tuesday, December 13 at 11:00 a.m. to discuss personnel and litigation matters.

**Motion by:** Vice Chancellor T. Andrew Brown  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion carried unanimously

## **PRESENTATION**

### **Every Student Succeeds Act (ESSA) Update**

Commissioner Elia and Scott Marion, Executive Director, National Center for the Improvement of Educational Assessment presented an update to the Board of Regents regarding the Every Student Succeeds Act (ESSA) (Attachments I and II.)

Chancellor Betty A. Rosa adjourned the meeting.

The Board of Regents of The University of the State of New York held a public session on Tuesday, December 13, 2016 at 11:15 a.m. pursuant to a call to duty sent to each Regent.

**MEETING OF THE FULL BOARD, Tuesday, December 13<sup>th</sup> at 11:15 am**

**Board Members in Attendance:**

Betty A. Rosa, Chancellor  
T. Andrew Brown, Vice Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Lester W. Young, Jr.  
Wade S. Norwood  
James E. Cottrell  
Josephine Victoria Finn  
Judith Chin  
Beverly L. Ouderkirk  
Catherine Collins  
Nan Eileen Mead  
Elizabeth S. Hakanson

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Christine D. Cea, Kathleen M. Cashin, Judith Johnson and Luis O. Reyes were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 11:15 a.m.

**PRESENTATION**

**Report of the Workgroup to Improve Outcomes for Boys and Young Men of Color**

Regent Young, Stan Hansen and Monique C. Morgan reported to the Board of Regents on the work of the Workgroup to Improve Outcomes for Boys and Young Men of Color (Attachments III, IV and V.)

At the end of the presentation, Chancellor Rosa asked Regent Josephine Victoria Finn to provide thoughts for a moment of reflection.

**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 2016 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the November 2016 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent James E. Cottrell  
**Action:** Motion carried unanimously.

**PROGRAM AREA CONSENT ITEMS**

**Office of Counsel**

**2017 Regulatory Agenda  
BR (CA) 16**

**MOVED**, that the 2017 Regulatory Agenda for the State Education Department be approved, as submitted.

**Adult Career and Continuing Education Services (ACCES)**

**Appointments to the New York State Rehabilitation Council  
BR (CA) 1**

**MOVED**, that Melissa Campbell, Yvette Goorevitch, Lindsay Miller, and Melissa Schindler be appointed as voting members for a term beginning January 1, 2017 and ending December 31, 2019.

**MOVED**, that Deborah Croce, Paul Czech, and Helene Fallon be reappointed for a three-year term beginning January 1, 2017 and ending December 31, 2019.

**Appointments to the New York State Independent Living Council, Inc.  
BR (CA) 2**

**MOVED**, that that Aileen Martin be appointed for a three-year term beginning January 1, 2017 and ending December 31, 2019.

**MOVED**, that Aaron Baier be appointed for a three-year term beginning January 1, 2017 and ending December 31, 2019.

**MOVED**, that Crystal Rivera be appointed for a three-year term beginning January 1, 2017 and ending December 31, 2019.

**MOVED**, that Daniel Fuster be appointed to fill a one-year unexpired term beginning January 1, 2017 and ending December 31, 2017.

**MOVED**, that Mark Rosen be reappointed for a three-year term beginning January 1, 2017 and ending December 31, 2019.

**MOVED**, that Douglas Usiak be reappointed for a three-year term beginning January 1, 2017 and ending December 31, 2019.

**MOVED**, that Zachery Garafalo be reappointed to a three-year term beginning January 1, 2017 and ending December 31, 2019.

### **Higher Education**

#### **Appointment to the State Professional Standards and Practices Board BR (CA) 3**

**MOVED**, that the Board of Regents approve the following appointments to the State Professional Standards and Practices Board for Teaching: Theresa Reynolds (administrator member), Amanda Zullo (teacher member), each for a four-year term beginning January 1, 2017 and ending December 31, 2020. Additionally, Riley Arnold (student member), for a two-year term beginning January 1, 2017 and ending December 31, 2018.

#### **Conferral of Degrees: Elim Bible Institute and College, and Globe Institute of Technology BR (CA) 4**

**MOVED**, that That the Board of Regents confer upon the following individuals, who have completed the requirements for their registered degree program at Elim Bible Institute and College, and Globe Institute of Technology, the respective degrees as listed below:

#### **Elim Bible Institute and College**

The following students have completed the requirements for the Associate in Applied Science (A.A.S.) degree program in Biblical and Theological Studies:

Ames, Sarah  
Ball, Elijah York  
Berry, Ian Anson  
Bursch, Gabriel Joel  
Cahill, Brenna A.  
Cepeda Pizarro, Christian Gabriel  
Cid Marquez, Ricardo Isaac

Davis, Angelica Faith  
Davis, Samantha Ellen  
Fox, Abigail Marianna  
Freeman, Destiny Raine Elisabeth  
Giordano, David Elisha  
Handley, Sarah Katherine  
Hugill, Victoria Joy  
Hugill, William Allen  
Hunt, Kyler M.  
Kessler, Ethan Mark  
Lampson, Bryan Michael  
Leon, Joana M.  
Lewis, Daniel C.  
Marsh, Leah June  
Mauer, Ashley Lynn  
Misar, Scott Roland  
Pisanzio, Jared S.  
Riehl, Heidi E.  
Rozycko, Matthew Shawn  
Skillo, Nathan Mitchell  
Tena Pina, Indria  
Vassallo, Joseph M.  
Wright, Laura Beth  
Yeschick Jr., John E.

### **Globe Institute of Technology**

The following students have completed the requirements for their respective programs as indicated:

#### **Certificate in Business Management with Computer Applications**

Concepcion, Carmen Isabel

#### **Associate in Applied Science (A.A.S.) in Banking and Finance with Computer Applications**

Arabei, Stanislav

#### **Associate in Applied Science (A.A.S.) in Business Management with Computer Applications**

Ahmed, Ahsan  
Bookman, Elise  
Chipepo, Isaiah Aaron  
Verdugo, Mauro



**Associate in Applied Science (A.A.S.) in Business Management: Legal Office Management**

Mbengue, Mame Aminata Diop

**Associate in Applied Science (A.A.S.) in Business Management: Sports Science Management**

Brooks, Quayan  
Concepcion Vincente, Yanio De Jesus  
Cruz, Anthony Rene  
Hardy, Jr., Cory Quassan  
Lubin, Edwin  
Mendoza, Ruby

**Associate in Applied Science (A.A.S.) in Computer Information Systems**

Lo, Abdou  
Shehu, Klodiana

**Associate in Applied Science (A.A.S.) in Healthcare Management**

Joseph, Jonelle Jael  
Justin, Isadora  
Marji, Michael Elias  
Percell, Randolph Alexander

**Associate in Applied Science (A.A.S.) in Information Technology**

Moniruzzaman, MD  
Monju, Mehedi Hasan  
Moreta De La Cruz, Ramon A.  
Muchnik, Yevgeniy  
Patel, Ankur Kiranbhai

**Associate in Applied Science (A.A.S.) in Management Information Systems**

Bhatia, Debbie  
Islam, Synthia Tabassum  
Toure, Aboudou

**Associate in Applied Science (A.A.S.) in Medical Assisting**

Ambersley, Cody Lloyd  
Diallo, Fatoumata Binta  
Diaz-Guerrero, Cinthia C.

Fernandez, Gissette  
Herrera, Estivi  
Vittini, Vanessa M.

**Bachelor of Business Administration (B.B.A.) in Accounting**

Arabei, Stanislav

**Bachelor of Business Administration (B.B.A.) in Finance**

Thomas, Takiyah Morowa

**Bachelor of Business Administration (B.B.A.) in Management**

Smith, Korri  
Tulshi, Dharry

**Bachelor of Technology (B. Tech.) in Computer Information Systems**

Jackson, Marlon

**Bachelor of Technology (B. Tech.) in Computer Programming**

Amadi, Jose S.

**Proposed Amendment to Section 80-3.5 of the Commissioner's Regulations to Establish New Pathway Options for the Transitional A Certificate in a Career and Technical Education Subject for Candidates who do not Meet the Current Requirements but who Possess Industry Experience, Credentials, or are in the Process of Completing Certification  
BR (CA) 5**

**MOVED**, that new paragraphs (5), (6), and (7) to subdivision (b) of section 80-3.5 of the Regulations of the Commissioner of Education be added, as submitted, effective December 17, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to immediately adopt revisions to the proposed amendment in response to public comment, and to otherwise ensure that the emergency rule adopted at the June and July Regents meetings and revised and adopted at the September and October 2016 Regents meetings, remains continuously in effect until the effective date of its adoption as a permanent rule.

**Proposed Amendment of Section 80-5.4 of the Regulations of the Commissioner of Education Relating to the Employment of Substitute Teachers Without a Valid Teaching Certificate  
BR (CA) 6**

**MOVED**, that paragraph (3) of subdivision (c) and subdivision (d) of section 80-5.4 of the Regulations of the Commissioner be amended, as submitted, effective December 28, 2016.

**St. Francis College: Master Plan Amendment to Offer a Master of Fine Arts in Creative Writing Program  
BR (CA) 7**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize the College to offer a program in Creative Writing leading to the M.F.A. The amendment will be effective until December 13, 2017, unless the Department registers a program prior to that date, in which case master plan amendment shall be without term.

**P-12 Education**

**Proposed Amendment of Section 100.6 of the Commissioner's Regulations Relating to the Establishment of Criteria for the Approval of Work-Readiness Assessments for Earning the New York State Career Development and Occupational Studies Commencement Credential  
BR (CA) 8**

**MOVED**, that paragraph (4) of subdivision (b) of section 100.6 of the Regulations of the Commissioner be amended as submitted, effective December 28, 2016.

**Proposed Amendment of Section 200.18 of the Commissioner's Regulations Relating to the Establishment of Tuition Rates Resulting from Fiscal Audits of Approved Programs Educating Students with Disabilities Ages 3 to 21 Who Have Been Enrolled Pursuant to Articles 81 and 89 of the Education Law  
BR (CA) 15**

**MOVED**, that section 200.18 of the Regulations of the Commissioner is amended, as submitted, effective December 28, 2016.

**Proposed Amendments to Section 100.5 and 200.4 of the Commissioner's Regulations to Require Superintendents to Make a Local Determination as to Academic Proficiency for Certain Students with Disabilities to Graduate with a Local Diploma  
BR (CA) 17**

**MOVED**, that a new paragraph (12) be added to subdivision (d) of section 100.5 of the Regulations of the Commissioner and clause (c) of subparagraph (i) of paragraph (7) of subdivision (d) of section 100.5, and subparagraph (ix) of paragraph (2) of subdivision (d) of section 200.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 17, 2016; as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the

general welfare in order to ensure that certain students with disabilities who are graduating from high school and their parents are aware that if they do not meet the graduation standards through the existing appeal and safety net options, that the parent may request that the superintendent make a determination as to whether the student has met the academic standards and is eligible for a diploma; and to further ensure that superintendents are on notice that they must make a determination as to whether certain students with disabilities are eligible for a local diploma if the student meets the requirements of the proposed amendment upon receipt of a written request from an eligible student's parent; and to further ensure that the emergency rule adopted at the June and September Regents meetings and as further revised at the October Regents meeting remain in effect until it can be adopted as a permanent rule; and

**MOVED**, that a new paragraph (12) be added to subdivision (d) of section 100.5 of the Regulations of the Commissioner and clause (c) of subparagraph (i) of paragraph (7) of subdivision (d) of section 100.5, and subparagraph (ix) of paragraph (2) of subdivision (d) of section 200.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 28, 2016.

### **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) 9**

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

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 10 - REVISED**

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

**Designation of Regents Physician Shortage Areas (RPSAs)  
BR (CA) 11**

**MOVED**, that the Regents should approve the changes in the lists of designated physician shortage areas with an effective date of January 1, 2017.

**Proposed Amendment to Section 61.10 of the Regulations of the Commissioner  
of Education Relating to the Dental Anesthesia Certification Requirements for  
Licensed Dentists  
BR (CA) 12**

**MOVED**, that subdivisions (a) and (d) of section 61.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 1, 2017 and subdivisions (b) and (c) of section 61.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 1, 2018.

**Regents Permission to Operate in New York State: Gannon University  
BR (CA) 13**

**MOVED**, that the Regents approve the renewal of the proposed permission to operate, effective December 13, 2016 which authorizes Gannon University's Villa Maria School of Nursing to use eight clinical agencies in New York for clinical education of no more than two students every other year enrolled in its Family Nurse Practitioner program leading to the Master of Science in Nursing degree.

**The State University of New York at Binghamton: Authorization to Award the  
Doctor of Pharmacy Degree  
BR (CA) 14**

**MOVED**, that the Board of Regents authorize the State University of New York Board of Trustees to award the Pharm.D. degree on students who successfully complete registered Pharm.D. programs at the State University of New York at Binghamton effective December 13, 2016.

**MOVED**, that the Regents approve the consent agenda items.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Josephine Victoria Finn  
**Action:** Motion carried unanimously.

**STANDING COMMITTEE REPORTS**

**CULTURAL EDUCATION**

Your Committee on Cultural Education Committee had its scheduled meeting on December 12, 2016. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Chair, Regent Cottrell, Regent Chin and Regent Ouderkirk. Regents in addition to CE Committee Members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regent Tallon, Regent Norwood, Regent Mead and Regent Hakanson as well as Executive Deputy Commissioner Berlin.

**ITEMS FOR DISCUSSION**

Chair's Remarks: Regent Tilles welcomed everyone and indicated that due to the late start of the meeting, the presentations would be abbreviated.

## **New York's Constitutions**

State Archivist Tom Ruller reported on a recent exhibition featuring New York and Federal constitutional documents. Ruller explained that the State Archives holds and preserves New York's four State constitutions, including the first state constitution, which was adopted on April 20, 1777 at the height of the Revolutionary War. In addition, the State Archives holds and preserves the copy of the United States Constitution that was adopted in 1788 at Poughkeepsie, New York along with the minutes of the convention where the document was debated and finally adopted. These iconic materials were placed on public display from November 8 to November 27, 2016. Ruller reviewed the exhibit and associated programs that helped educate the public and students about New York's constitutional history and reported on tentative plans to mark April 20, 2017 to celebrate the State's origination day.

## **State Library 200th Anniversary in 2018**

Bernard Margolis, State Librarian, Elizabeth Duncan, Principal Librarian and Patricia Jordan shared with the committee a small sample of collection highlights that will be used as part of the celebration of the State Library's 200th anniversary in 2018. Margolis reviewed several items, including a 17th century Dutch document from the Van Rensselaer Manor Papers, several World War I posters and letters from Frederick Douglass. Among the celebratory projects are reviews of the Library's top 50 special/unique collections that will form the basis for on-line exhibits and a series of descriptive cards featuring collection highlights. In addition, they shared the Library's copy of a leaf from a Gutenberg bible, which was donated to the library, with members of the committee.

## **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on December 13, 2016. All members were present except for Regents Cea, Cashin, Johnson and Reyes who were absent and excused.

### **Action Items**

#### **State Legislative and Budget Priorities**

Your Committee approved the initiatives to be advanced during the 2017 legislative session and the proposals to be advanced during the 2017-18 budget cycle. HE (A) 1 & 2

## **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 13, 2016, copies of which have been distributed to each member of the Board of Regents.

### **Other Matters Not Requiring Board Action:**

#### **Update on edTPA Task Force**

Commissioner Elia gave an update on Regent Cashin's work with the edTPA Task Force. The Task Force is reviewing current regulations and practices related to the edTPA, the literacy requirement, and student teaching requirements.

#### **Development of a Partnership Agreement between the Council for the Accreditation of Educator Preparation (CAEP) and the New York State Education Department (NYSED)**

Department staff presented an overview and explanation of the partnership agreement. Commissioner's Regulations require that all teacher education programs in New York State maintain continuous accreditation from "an acceptable professional education accrediting association." CAEP is currently the only such accrediting entity. The Partnership Agreement will outline the protocol that will be followed in the accreditation process, describe the responsibilities of both CAEP and the Department and include the specific regulatory standards that the Department wants CAEP to review during accreditation site visits to the institution. The Department will use the draft partnership agreement, developed by the workgroup, to move forward on discussions with CAEP on a final partnership agreement. BR (D) 1

#### **Proposed Amendment of Section 3.56 of the Rules of the Board of Regents to Establish Fees and Procedures for Out-of-State Institutions Seeking to Operate with a Physical Presence in New York State**

Department staff will present a proposed amendment that would establish a fee structure for out-of-state institutions seeking to operate with a physical presence in New York State. Section 3.56 of the Rules of the Regents provides a process for out-of-state institutions of higher education to seek permission to establish a physical presence in New York, to offer credit-bearing courses or programs of study. It is anticipated that the proposed amendment will be presented for adoption at the March 2017 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. If adopted at the March meeting, the proposed amendment will become effective on March 29, 2017. BR (D) 2

## Consent Agenda

The Board of Regents took action on the following consent agenda items at their December 13, 2016 meeting.

- **PSPB Appointments** - Department staff will recommend appointments to the Professional Standards and Practices Board. BR (CA) 3
- **Regents Conferral of Degrees** - Department staff will recommend that the Regents confer degrees upon students successfully completing their program at Elim Bible Institute and College and Globe Institute of Technology. In the case of Elim Bible Institute and College, until its charter is made absolute, Section 224 of the Education Law requires that the Board of Regents award degrees on the College's behalf. In the case of Globe Institute of Technology, the institutions' temporary degree authority expired on June 30, 2016 and the institution failed to apply for an extension of that degree authority. To hold students harmless, the Department recommends that the Regents award degrees to those students who completed the requirements for their Globe degree programs during the summer 2016 term. Section 208 of the Education Law gives the Regents the authority to award degrees in certain circumstances. Globe Institute of Technology subsequently closed in September 2016. BR (CA) 4
- **Career and Technical Education (CTE) Teachers** - Department staff recommend changes to Part 80-3.5 of the Commissioner's Regulations that would provide three additional pathways for candidates seeking a CTE Transitional A certificate. The Transitional A certificate is a temporary three-year certificate during which time the individual must complete the requirements for an initial certification. This proposal is partly in response to New York City's need to hire qualified CTE teachers in the technical fields of study. Previously adopted at the June 2016 meeting as an emergency action, and subsequently revised and adopted at as a second and third emergency action at the September and October 2016 meetings. The item is before the Board this month for a fourth emergency action before it can be adopted as a permanent rule at the January 2017 meeting. BR (CA) 5
- **Permanent Adoption of Section 80-5.4 of the Regulations of the Commissioner of Education Relating to the Length of Time Substitutes Without a Valid Certificate may be Employed** - (Action) (15 minutes) Department staff will present a proposed new section that would amend the regulation that allows for school districts to employ a substitute teacher without a valid teaching certificate for up to 90 days by establishing a sunset provision that automatically repeals this provision after two years effective December 2018. BR (CA) 6
- **Master Plan Amendment for St. Francis College** - Department staff recommend approval of an amendment of the Master Plan of St. Francis College to offer a Master of Fine Arts (M.F.A.) program in Creative Writing. BR (CA) 7



## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on December 12, 2016. All members were present, except for Regents Cea, Johnson, and Reyes who were excused.

### **ACTION ITEMS**

#### **New York P-12 Science Learning Standards [P-12 (A) 1]**

Your Committee recommends that the Board of Regents approves the New York State P-12 Science Learning Standards to be implemented in all schools beginning July 1, 2017.

#### **Uniform Violent and Disruptive Incident Reporting System (VADIR) [P-12 (A) 2]**

Your Committee recommends that section 100.2(gg) of the Regulations of the Commissioner relating to the Uniform Violent and Disruptive Incident Reporting System (VADIR) be amended, as submitted, effective July 1, 2017.

#### **Initial Applications Authorized by the Board of Regents [P-12 (A) 3]**

Your Committee recommends that the Regents find that: (1) the proposed charter schools meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application 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) granting the application will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues an initial charter and provisional charter to the OnTECH Charter High School for a term of five years in accordance with §2851(2)(p) of the Education Law. Regents Collins and Hakanson abstained from the vote.

Ember Charter School for Mindful Education, Innovation & Transformation submitted written notice that it was withdrawing its application from consideration, and therefore, the Regents item was removed from Committee agenda.

#### **Regents 2017-2018 State Budget Priorities [P-12 (A) 5-REVISED]**

Your Committee recommends that the Regents approve State budget priorities as follows:

State Aid Modeling and Facilities Planning Systems ----- \$2 million  
Special Education and Related Services Data System ----- \$700,000  
Support for Targeted School Districts ----- \$675,000  
Charter School Office ----- \$1.5 million  
Excessive Teacher Turnover Prevention Grant Expansion ----- \$4 million  
Enhancing the Achievement of English Language Learners ----- \$12.4 million  
Building Oversight and Support Capacity at SED ----- 5% set-aside

Regents Exams in World Languages ----- \$1 million  
Erasure Analysis of Test Results ----- \$500,000  
Project-Based Assessments ----- \$8 million  
Expansion of Teacher Exam Vouchers and Shanker Grant ----- \$960,000  
Higher Education Opportunity Programs ----- \$11.67 million  
Sustaining ECHS and P-TECH Programs ----- Fully fund  
Institution Accreditation ----- Spending Authority

### **2017 State Legislative Priorities [P-12 (A) 6]**

Your Committee recommends that the Regents affirm support for last year's proposals as well as approve new proposals for the 2017 legislative session as follows:

#### P-12

Tenure/Seniority Protections for Bilingual and ESOL Teachers  
Streamlining Prekindergarten Programs  
Establishing a Tuition Rate Setting Index  
Mandate Relief for School Districts  
Accelerating State Aid Claims  
Regional Secondary Schools Advisory Council  
Supporting Struggling School Districts

#### Higher Education

DREAMers

### **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 13, 2016, copies of which have been distributed to each Regent.

### **MATTERS NOT REQUIRING BOARD ACTION**

**Revision and Implementation of New English Language Arts (ELA) and Mathematics Standards [P-12 (D) 1]** – the Committee was provided with an update on the revision process and implementation of the new New York State Learning Standards in English Language Arts (ELA) and Mathematics. Discussion focused on the recommended changes to the ELA and Mathematics Standards based on feedback from the Standards Review Committees. Next steps include making revisions to the draft standards and presentation to the Board of Regents in spring 2017.

**Grades 3-8 English Language Arts and Mathematics Computer-Based Testing (CBT) [P-12 (D) 2]** – the Committee was provided with an update on the implementation of Grades 3-8 English Language Arts (ELA) and Mathematics Computer-Based Testing (CBT). In the 2016-17 school year, schools have the option to administer Grades 3-8 ELA and Mathematics operational tests and stand-alone field tests on paper or computer.

To provide schools with the maximum flexibility, for this year's operational administration schools can select computer- or paper-based testing by grade and subject area. Additionally, the administration window for the operational CBT has been extended to six days to provide extra time for districts with a limited number of devices to be able to test multiple grade levels on computer.

## **Consent Agenda**

The Board of Regents will take action on the following consent agenda items at their December 13, 2016 meeting.

- Regulations relating to the Establishment of Criteria for the Approval of Work Readiness Assessments for Earning the NYS Career Development and Occupational Studies (CDOS) Commencement Credential.
- Regulations relating to the Establishment of Tuition Rates Resulting from Fiscal Audits of Approved Programs Educating Students with Disabilities Ages 3 to 21 who have been Enrolled pursuant to Articles 81 and 89 of Education Law.
- Regulations to Require Superintendents to make a local determination as to Academic Proficiency for Certain Students with Disabilities to Graduate with a Local Diploma.

## **P-12 EDUCATION/CULTURAL EDUCATION JOINT MEETING**

Your P-12 Education Committee and Cultural Education Committee held a joint meeting on December 12, 2016. All members were present, except for Regents Cea, Johnson, and Reyes, who were excused.

## **MATTERS NOT REQUIRING BOARD ACTION**

Update on the Blue Ribbon Commission for the Arts [P-12/CE (D) 1] – the Committee was provided with an update on the work of the Blue Ribbon Commission for the Arts. At the June 2016 meeting, the Commission was updated on the approved transitional assessment options for the Arts 4+1 Pathway (AP & IB). Four Arts Blue Ribbon subcommittees were formed and are working towards transitional and long-term New York State Arts Assessments. A draft strategic plan, which includes mission and vision statements and incorporates four critical components that need to be addressed if new arts standards and assessments are adopted and/or existing standards/assessments are updated, has been shared with the field. Recommendations from the field have been incorporated and are ready to be presented to the Board of Regents for adoption and a future meeting. The Blue Ribbon Commission's Co-Chairs will convene the Executive Committee as the subcommittees are ready to report their findings and the Commission will submit further recommendations to the Commissioner for additional approved arts assessments

## **P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING**

Your P-12 Education Committee and Higher Education Committee held a joint meeting on December 12, 2016. All members were present, except for Regents Cea, Johnson, and Reyes, who were excused.

### **MATTERS NOT REQUIRING BOARD ACTION**

**Ensuring Educational Stability for Children in Foster Care** [P-12/HE (D) 1] – the Committee was provided with an update regarding the requirements for ensuring educational stability for students in foster care in accordance with requirements enumerated in the Every Student Succeeds Act (ESSA) and guidance issued by the U.S. Department of Education and the U.S. Department of Health and Human Services on June 23, 2016. The guidance builds upon existing statutes to ensure educational stability of youth in foster care, specifically The Fostering Connections Act, The Uninterrupted Scholars Act, and the foster care provisions of Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by ESSA. Department staff will continue to collaborate with the Office of Children and Family Services, local educational agencies, and local departments of social services to ensure educational stability for youth in foster care; address any barriers that may occur at the local level; and discuss specific strategies to pay for costs associated with educating youth in foster care (e.g., transportation).

### **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on December 13, 2016. All Committee members were present, except Regent Elizabeth S. Hakanson & Regent Christine D. Cea, who were excused.

### **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 56 consent order applications and 8 surrender applications be granted. [PPC EXS (A) 1-3]

In the case of Lori Jo Murphy a/k/a Lori Jo Murphy-Putrello, Licensed Clinical Social Worker, Calendar No. 25843, we recommend that term of probation numbered three, in exhibit “B” to the report of the Hearing Panel, be corrected insofar as the word “suspension” on the first line of said term of probation numbered three be deemed deleted and, in lieu thereof, the word “probation” be deemed substituted in its place; and that the

recommendation of the Regents Review Committee in this matter shall otherwise be accepted.

In the cases of Elnora VanRensselaer, Licensed Practical Nurse and Registered Professional Nurse, Calendar Nos. 29107 & 29108, Regent Catherine Collins was recused.

These recommendations are made following the review of 67 cases involving twenty registered professional nurses, fifteen licensed practical nurses, eight licensed practical nurses who are also registered professional nurses, two acupuncturists, two occupational therapy assistants, two respiratory therapists, one clinical laboratory technician, one dentist, one licensed clinical social worker, one licensed master social worker, one licensed mental health counselor, one massage therapist, one ophthalmic dispenser, one pharmacist, and one registered professional nurse who is also a nurse practitioner (Family Health).

### **Restorations**

Your Committee recommends the following:

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

### **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 13, 2016, 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 (note: with respect to Dr. Hernandez-Alejandro's petition, the PPC discussed the matter in executive session and remanded the matter to the Committee on the Professions and requested additional information on Dr. Hernandez-Alejandro's background; the Committee on the Professions revised and approved the amended report, and in a second executive session, the PPC recommended approval of Dr. Hernandez Alejandro's licensing petition. The Full

Board then accepted the PPC’s recommendation and approved Mr. Hernandez-Alejandro’s licensing petition).

- Designation of Regents Physician Shortage Areas (RPSAs)
- Proposed Amendment to Section 61.10 of the Regulations of the Commissioner of Education Relating to the Dental Anesthesia Certification Requirements for Licensed Dentists
- Regents Permission to Operate in New York State: Gannon University
- The State University of New York at Binghamton: Authorization to Award the Doctor of Pharmacy Degree

**Professional Discipline Update** – Periodic update and discussion of the resolution of professional discipline cases, including the handling of complaints, adjudications, and illegal practice.

**MOVED**, that the Committees Reports be approved.

**Motion by:** Regent Wade S. Norwood  
**Seconded by:** Vice Chancellor T. Andrew Brown  
**Action:** Motion carried unanimously.

**Regents 2017-2018 State Budget Priorities  
BR (A) 4 - REVISED**

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

State Aid Modeling and Facilities Planning Systems	\$2 million
Special Education and Related Services Data System	\$700,000
Support for Targeted School Districts	\$675,000
Charter School Office	\$1.5 million
Excessive Teacher Turnover Prevention Grant Expansion	\$4 million
Enhancing the Achievement of English Language Learners	\$12.4 million
Building Oversight and Support Capacity at SED	5% set-aside
Regents Exams in World Languages	\$1 million
Erasure Analysis of Test Results	\$500,000
Project-Based Assessments	\$8 million
Expansion of Teacher Exam Vouchers and Shanker Grant	\$960,000
Higher Education Opportunity Programs	\$11.67 million
Sustaining ECHS and P-TECH Programs	Fully fund
Institution Accreditation	Spending Authority

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent James E. Cottrell  
**Action:** Motion carried unanimously.

**2017 State Legislative Priorities  
BR (A) 5**

**MOVED**, that that the Regents affirm support for last year's proposals as well as approve new proposals for the 2017 legislative session as follows:

P-12 -

Tenure/Seniority Protections for Bilingual and ESOL Teachers  
Streamlining Prekindergarten Programs  
Establishing a Tuition Rate Setting Index  
Mandate Relief for School Districts  
Accelerating State Aid Claims  
Regional Secondary Schools Advisory Council  
Supporting Struggling School Districts

Higher Education -  
DREAMers

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent James R. Tallon, Jr.  
**Action:** Motion carried unanimously.

**State Education Department November 2016 Fiscal Report  
BR (A) 3**

**MOVED**, that the Board accepts the November 2016 State Education Department Fiscal Report as presented.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent James R. Tallon, Jr.  
**Action:** Motion carried unanimously.

**Whistleblower Policy and Procedures  
BR (A) 6**

**MOVED**, that the Board of Regents, acting in their capacity as Trustees of The University of the State of New York, approve the Whistleblower Policy and Procedures effective December 13, 2016.

**Motion by:** Regent Josephine Victoria Finn  
**Seconded by:** Regent James R. Tallon, Jr.  
**Action:** Motion carried unanimously.

**Acceptance of a \$500,000 Grant from The Wallace Foundation  
BR (A) 7**

**MOVED**, that the Board of Regents accept the sum of \$500,000 from The Wallace Foundation to support the work of the USNY Regents Research.

**Motion by:** Regent Josephine Victoria Finn  
**Seconded by:** Regent James R. Tallon, Jr.  
**Action:** Motion carried unanimously.

**APPOINTMENT**

**Appointment of Assistant Commissioner for the Office of Access,  
Equity, and Community Engagement Services  
BR (A) 8**

**MOVED**, that the Board of Regents approve the appointment of Stanley Hansen, Jr. to the position of Assistant Commissioner effective December 13, 2016.

**Motion by:** Regent Josephine Victoria Finn  
**Seconded by:** Regent Beverly L. Ouderkirk  
**Action:** Motion carried unanimously.

Chancellor Betty A. Rosa adjourned the meeting.



**Appendix I**  
**NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS**

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
Interlaken Public Library	CE	Seneca (Interlaken)	Amend charter to: - change the trustee range to be not less than five nor more than nine; - designate Commissioner as agent for service; and - update IRS dissolution language.
Museum of Biblical Art	CE	New York (New York)	Dissolve provisional charter.
Red Hook Public Library	CE	Dutchess (Red Hook)	Amend charter to: - change the trustee range to be not less than five nor more than seven; - designate the library's service area to be coterminous with the Village of Red Hook; - designate Commissioner as agent for service; and - update IRS dissolution language.
Sag Harbor Fire Department Antique Fire Truck Museum	CE	Suffolk (Sag Harbor)	Extend provisional charter for five years.
Wallkill Public Library	CE	Ulster (Wallkill)	Amend charter to: - change the trustee range to be not less than seven nor more than eleven; - specify eligibility requirements for election to the board of trustees; and - to change the corporate address.
Westchester Children's Museum	CE	Westchester (Rye)	Extend provisional charter for five years.
Academy of the Holy Names	P12	Albany (Albany)	Amend charter to delete the operation of a prekindergarten and

			elementary levels (kindergarten through grades five).
Cornerstone Christian School	P12	Rockland (New City)	Grant provisional charter for three years.
Creative Minds Montessori School	P12	Cayuga (Auburn)	Amend charter to add authority to operate a pre- kindergarten through grade eight for children ages 3 to 15 and extend charter for three years.
Longview School	P12	Westchester (Cortlandt Manor)	Extend provisional charter for three years.
Mountain Laurel Waldorf School	P12	Ulster (New Paltz)	Extend provisional charter for three years.
The South Shore Preschool for Early Childhood Education	P12	Suffolk (Islip Terrace)	Grant provisional charter for three years.
St. Joseph's Seminary and College	HE	New York (New York)	Amend charter to add authority to operate a branch campus at 131 Boardman Road, Poughkeepsie, NY 12603.

## Appendix II

### REGENTS ACTIONS IN 69 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

December 12 - 13, 2016

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 8 licenses, and 58 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. REVOCATION AND SURRENDERS

##### Nursing

Tammy L. Capozzi; Licensed Practical Nurse; Buffalo, NY 14206; Lic. No. 297535; Cal. No. 28432; Found guilty of professional misconduct; Penalty: Revocation.

Stephen Mirl Howells II; Registered Professional Nurse; Tucson, AZ 85756; Lic. No. 552471; Cal. No. 29165; Application to surrender license granted. Summary: Licensee did not contest charges of having been convicted of Kidnapping in the 2nd Degree under New York State law and of Sexual Exploration of Children; Conspiracy to Sexually Exploit Children and Possession of Child Pornography under federal law.

Edna Leticia Rosario-Girona; Licensed Practical Nurse; Sebring, FL 33870; Lic. No. 091570; Cal. No. 29199; Application to surrender license granted. Summary: Licensee admitted to the charge of having been found guilty of improper professional practice or professional misconduct by the duly authorized professional disciplinary agency of Florida where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State.

Kay A. Romain; Registered Professional Nurse; Yorktown, VA 23693; Lic. No. 301496; Cal. No. 29255; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of improper professional practice or professional misconduct by the duly authorized professional disciplinary agency of Virginia where the conduct upon which the finding was based would, if committed in New York State, constitute professional misconduct under the laws of New York State.

Joyce A. Garlow; Registered Professional Nurse; Austin, TX 78727-6859; Lic. No. 258013; Cal. No. 29282; Application to surrender license granted. Summary: Licensee did not contest the charge of having a finding of professional misconduct by the Texas Board of Nursing for fraud or deceit in procuring or attempting to procure a license to practice professional nursing by lying about a prior criminal record, which if committed in New York State, would constitute professional misconduct for obtaining the license fraudulently, in violation of §6509(1) of the New York Education Law.

Sheila Ann Mooney Perry; Registered Professional Nurse; Hampden, ME 04444-1931; Lic. No. 216126; Cal. No. 29283; Application to surrender license granted. Summary: Licensee did not contest the charge of being found guilty of professional misconduct in the State of Maine, which conduct would be considered practicing the professional of nursing with incompetence on more than one occasion, if committed in New York State.

Judith E. O'Rourke Galbraith; Registered Professional Nurse; Southbridge, MA 01550; Lic. No. 357265; Cal. No. 29290; Application to surrender license granted. Summary: Licensee admitted to the charge of, while authorized to practice as a nurse anesthetist in Massachusetts and employed as such in Oklahoma, having reported to work with marijuana and barbiturates in her bloodstream, in violation of substantial provisions of Massachusetts law regarding the practice of nursing.

Pamela Jo Arnold a/k/a Pamela Jo Patton; Registered Professional Nurse; Taylorsville, UT 84123; Lic. No. 311089; Cal. No. 29298; Application to surrender license granted. Summary: Licensee admitted to the charge of being habitually drunk, resulting in two convictions for Driving While Under the Influence and visiting patients as a home health nurse while intoxicated, in the state of Vermont.

### **Respiratory Therapy**

Kathleen Marie Novo; Respiratory Therapist; Kenmore, NY 14217-1203; Lic. No. 000459; Cal. No. 28975; Application to surrender license granted. Summary: Licensee admitted to the charge of having disconnected a patient from a ventilator without: a physician consultation or order; wearing protective equipment; confirming the identity of the health care proxy and the proper paperwork had been completed; and ensuring the patient was receiving proper medication.

## **II. OTHER REGENTS DISCIPLINARY ACTIONS**

### **Acupuncture**

John Clayton Link; Perry, NY 14530; Lic. No. 004023; Cal. No. 28447; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Rui Wang; Vestal, NY 13850; Lic. No. 001723; Cal. No. 29000; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

### **Clinical Laboratory Technology**

Richard Rocco Padovani; Clinical Laboratory Technician; Yorktown Heights, NY 10598; Cert. No. 000361; Cal. No. 29022; Application for consent order granted; Penalty agreed

upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

### **Dentistry**

Rayna Fern Portnoy; Dentist; Forest Hills, NY 11375; Lic. No. 044483; Cal. No. 29018; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

### **Massage Therapy**

Karen M. North; Albany, NY 12203; Lic. No. 020799; Cal. No. 29002; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$250 fine.

### **Mental Health Counseling**

Judith Marie Wagner; Licensed Mental Health Counselor; East Aurora, NY 14052-9650; Lic. No. 003541; Cal. No. 29064; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice, \$500 fine payable within 6 months.

### **Nursing**

Katherine M. Gleason a/k/a Katherine M. Decker a/k/a Katherine B. Decker; Registered Professional Nurse; Rochester, NY 14445; Lic. No. 508420; Cal. No. 27274; Found guilty of professional misconduct; Penalty: \$1,000 fine, 24 months suspension, execution of last 18 months of suspension stayed, probation 2 years to commence upon actual return to practice.

Mark Ryan Waldron; Registered Professional Nurse; Rochester, NY 14604; Lic. No. 659962; Cal. No. 28051; 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.

Michael W. McKeirnan a/k/a Michael William McKeirnan; Licensed Practical Nurse, Registered Professional Nurse; Jamestown, NY 14701; Lic. Nos. 168547, 515932; Cal. Nos. 28076, 28077; 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.

Lorraine E. Hagan a/k/a Lorraine E. MacEwan a/k/a Lorraine Edith Wagner; Registered Professional Nurse; Leeds, NY 12451-0436; Lic. No. 256161; Cal. No. 28096; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation.

Heather L. Zynda a/k/a Heather L. Cleversley a/k/a Heather Lynn Moppert; Licensed Practical Nurse; Collins, NY 14034; Lic. No. 232949; Cal. No. 28309; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$500 fine.

Crystal Lynn Culbert a/k/a Crystal Emerson; Licensed Practical Nurse, Registered Professional Nurse; Wellsville, NY 14895; Lic. Nos. 277487, 595123; Cal. Nos. 28456, 28457; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Nadine Rachel Abraham; Licensed Practical Nurse, Registered Professional Nurse; Dorchester, MA 02124; Lic. Nos. 287137, 651719; Cal. Nos. 28636, 28637; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$1,000 fine payable within 1 month.

Crystal Lynn Miller; Licensed Practical Nurse; Bouckville, NY 13310; Lic. No. 316083; Cal. No. 28817; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Diane M. Pawlowski; Registered Professional Nurse; Cheektowaga, NY 14225-2308; Lic. No. 253574; Cal. No. 28970; 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, \$250 fine payable within 4 months.

Anne Marie Walsh; Licensed Practical Nurse; Rahway, NJ 07065; Lic. No. 282803; Cal. No. 28972; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Tamara Pierre-Thompson; Registered Professional Nurse, Nurse Practitioner (Family Health); Freeport, NY 11520; Lic. No. 491937, Cert. No. 333487; Cal. Nos. 28985, 28986; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, following service of actual suspension, 2 years probation.

Stacey Merritt a/k/a Stacey Turner; Licensed Practical Nurse; Albany, NY 12202; Lic. No. 265516; Cal. No. 28999; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Corine Marie Sandroni; Licensed Practical Nurse; Seneca Falls, NY 13148-1830; Lic. No. 313435; Cal. No. 29001; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Heather M. Duell; Licensed Practical Nurse; Plattsburgh, NY 12901; Lic. No. 253423; Cal. No. 29010; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Amanda Lee Tredinnick; Registered Professional Nurse; Lackawanna, NY 14218; Lic. No. 634140; Cal. No. 29016; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, 50 hours public service.

Samuel Chiappone; Licensed Practical Nurse; Silver Creek, NY 14136; Lic. No. 304278; Cal. No. 29021; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation to commence upon return to practice, \$250 fine payable within 6 months.

Corinne L. Barnett; Licensed Practical Nurse; Wellsville, NY 14895; Lic. No. 298764; Cal. No. 29040; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Desiree Suzanne Paul; Licensed Practical Nurse; Oneida, NY 13421; Lic. No. 273872; Cal. No. 29055; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Julie Anne Kuster; Licensed Practical Nurse, Registered Professional Nurse; Derby, NY 14047-9661; Lic. Nos. 253636, 606208; Cal. Nos. 29057, 29058; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Tarra M. Chimino aka Tarra Macaluso aka Tarra M. Macaluso; Licensed Practical Nurse, Registered Professional Nurse; Brockport, NY 14420; Lic. Nos. 270268, 608271; Cal. Nos. 29068, 29069; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Stacey M. Randall; Registered Professional Nurse; Dolgeville, NY 13329; Lic. No. 618285; Cal. No. 29082; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation, \$500 fine.

Amy Jo Shaheen; Licensed Practical Nurse; Tupper Lake, NY 12986; Lic. No. 269442; Cal. No. 29100; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Mary Jane Martin a/k/a Mary J. Martin; Registered Professional Nurse; Hillsdale, NY 12529; Lic. No. 507509; Cal. No. 29101; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Nicole Ann Huber; Licensed Practical Nurse; Perkinsville, NY 14529; Lic. No. 318249; Cal. No. 29104; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$250 fine.

Colleen G. Cook; Licensed Practical Nurse; Rochester, NY 14620-3613; Lic. No. 297877; Cal. No. 29105; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$250 fine.

Elnora VanRensselaer; Licensed Practical Nurse, Registered Professional Nurse; Friendship, NY 14739; Lic. Nos. 273674, 546712; Cal. Nos. 29107, 29108; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Torres R. Lewis; Registered Professional Nurse; Rensselaer, NY 12144; Lic. No. 633501; Cal. No. 29115; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation, \$500 fine.

Annette A. Smith; Licensed Practical Nurse, Registered Professional Nurse; Rochester, NY 14608; Lic. Nos. 227317, 529589; Cal. Nos. 29121, 29122; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Mary Oksutcik Kranz; Registered Professional Nurse; Sayre, PA 18840; Lic. No. 331096; Cal. No. 29127; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Jessica Lynn Yao; Registered Professional Nurse; Rochester, NY 14607; Lic. No. 660484; Cal. No. 29135; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lindsay Marie Nero; Registered Professional Nurse; Fredonia, NY 14063; Lic. No. 630819; Cal. No. 29139; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 month and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Kathy J. Dzus; Licensed Practical Nurse, Registered Professional Nurse; Islip, NY 11751; Lic. Nos. 196390, 415300; Cal. Nos. 29158, 29161; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice.

Melissa Louise Chadwick; Registered Professional Nurse; Virginia, MN 55792; Lic. No. 532022; Cal. No. 29177; 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.

Laurie Ann Wordon; Registered Professional Nurse; Hudson, NY 12534; Lic. No. 612121; Cal. No. 29197; Application for consent order granted; Penalty agreed upon: \$500 fine, 2 years probation.



Lenore Wychunis Bates; Licensed Practical Nurse; Valatie, NY 12184; Lic. No. 242817; Cal. No. 29221; 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, \$250 fine payable within 6 months.

Donna Maria Graffagnino; Registered Professional Nurse; Las Vegas, NV 89108; Lic. No. 271058; Cal. No. 29281; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, 3 years probation to commence upon return to practice in the State of New York which may only be as an employee under direct supervision in a Public Health Law Article 28 facility.

### **Occupational Therapy**

Melissa J. Dames; Occupational Therapy Assistant; Albany, NY 12205; Auth. No. 006810; Cal. No. 28984; 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 3 months.

Teshia M. Parks; Occupational Therapy Assistant; Rochester, NY 14611; Auth. No. 007871; Cal. No. 29052; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

### **Ophthalmic Dispensing**

Pamela E. Kuras; Rochester, NY 14615; Lic. No. 008443; Cal. No. 29033; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

### **Pharmacy**

Raymond DePiero; Pharmacist; Louisville, KY 40222; Lic. No. 035665; Cal. No. 29274; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

### **Respiratory Therapy**

Jennifer L. Knight; Respiratory Therapist; Rome, NY 13440; Lic. No. 007097; Cal. No. 29053; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

### **Social Work**

Lori Jo Murphy a/k/a Lori Jo Murphy-Putrello; Licensed Clinical Social Worker; Oswego, NY 13126; Lic. No. 037135; Cal. No. 25843; Found guilty of professional misconduct;

Penalty: \$500 fine, 2 year suspension, execution of suspension stayed, upon service of Order and concurrent with stayed suspension, probation 2 years.

Francis Michael Polsenberg; Licensed Master Social Worker; Sonyea, NY 14556-0050; Lic. No. 079433; Cal. No. 29065; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 year and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

### **III. RESTORATION**

The Board of Regents voted on December 13, 2016 to stay the execution of the revocation of the physician license of Thomas P. Wentland, Marion, IL, and that, upon successful completion of a certain course, to fully restore his license. Dr. Wentland's license was originally revoked May 28, 2009.