



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 November 2010 Meeting  
**DATE:** December 1, 2010  
**AUTHORIZATION(S):**

**Executive Summary**

**Issue for Decision**

Review of the Summary of the November 2010 Meeting of the Board of Regents.

**Proposed Handling**

Approval of the Summary of November 2010 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 November 2010 meeting.

**Timetable for Implementation**

Effective December 14, 2010.

**VOTED**, that the Summary of the November 2010 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE NOVEMBER MEETING**

**OF THE BOARD OF REGENTS**

**OF**

**THE UNIVERSITY OF THE STATE OF NEW YORK**

***Held at the State Education Building***

***Albany, New York***

***November 15 and 16, 2010***

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

## ***THE BOARD OF REGENTS***

The Board of Regents of The University of the State of New York held public sessions on Monday, November 15 at 9:00 a.m. and on Tuesday, November 16 at 12:05 p.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, November 15 at 9:00 a.m.**

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

Merryl H. Tisch, Chancellor  
Milton L. Cofield, Vice Chancellor  
Robert M. Bennett, Chancellor Emeritus  
James C. Dawson  
Anthony S. Bottar  
Geraldine D. Chapey  
Harry Phillips, 3<sup>rd</sup>  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood

Also present were the Commissioner of Education, David M. Steiner, Senior Deputy Commissioner for P-12 Education, John King, Acting Counsel and Deputy Commissioner for Legal Affairs, Erin O'Grady-Parent, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Karen Brooks Hopkins and Betty A. Rosa were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 9:00 a.m.

### **ACTION ITEM**

#### **Executive Session Motion**

MOVED, that the Board of Regents convene in executive session at this time for the purpose of discussing personnel matters; and further

MOVED, that the Board of Regents convene in executive session on Tuesday, November 16, at 8:00 a.m., to discuss pending litigation.

**Motion by:** Vice Chancellor Milton L. Cofield  
**Seconded by:** Chancellor Emeritus Robert M. Bennett  
**Action:** Motion carried unanimously

## **DISCUSSION ITEM**

### **State Education Department's Strategic Vision (Other Than P-12)**

#### **Oral**

Commissioner David M. Steiner and Val Grey presented information to the Board on the Department's Strategic Vision.

## **PRESENTATIONS**

### **Update on the Reform Agenda**

#### **Oral**

Commissioner David M. Steiner and Senior Deputy John King presented an update to the Board.

Full Board adjourned at 10:10 a.m.

## **MEETING OF THE FULL BOARD, Tuesday, November 16 at 12:05 p.m.**

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

Merryl H. Tisch, Chancellor  
Milton L. Cofield, Vice Chancellor  
James C. Dawson  
Anthony S. Bottar  
Geraldine D. Chapey  
Harry Phillips, 3<sup>rd</sup>  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood

Also present were the Commissioner of Education, David M. Steiner, Senior Deputy Commissioner P-12, John King, Acting Counsel and Deputy Commissioner for Legal Affairs, Erin O'Grady-Parent, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Emeritus Robert M. Bennett and Regents Karen Brooks Hopkins and Betty A. Rosa were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 12:05 p.m.

## **ACTION ITEMS**

### **Charter Applications for November 2010 BR (A) 1**

**MOVED**, that the Regents approve each application in accordance with the recommendations contained in the respective summaries.

### **Summary of the October 2010 Meeting of the Board of Regents and the October 14, 2010 Meeting of the College and Career Readiness Working Group BR (A) 2**

**MOVED**, that the Summary of the October 2010 Meeting of the Board of Regents and the October 14, 2010 Meeting of the College and Career Readiness Working Group The University of the State of New York be approved.

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

## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

#### **Proposed Amendment of Section 52.21 of the Regulations of the Commissioner Relating to the Graduate Level Clinically Rich Teacher Preparation Pilot Program BR (CA) 1**

**MOVED**, That subclause (3) of clause (c) of subparagraph (iv) of paragraph (5) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education be amended, effective November 19, 2010, 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 timely implement the provisions of the proposed amendment to provide program providers with timely notice of the eligibility requirements for the request for proposal process so the Department complete the competitive bidding process for the selection of program providers before the 2011-2012 school year.

**Amendment of Section 100.2(o) of the Regulations of the Commissioner of  
Education Relating to the Annual Professional Performance Review for Teachers in  
the Classroom Teaching Service  
BR (CA) 2**

**MOVED**, That subdivision (o) of Section 100.2 of the Regulations of the Commissioner of Education be repealed and a new subdivision (o) shall be added to section 100.2 of the Regulations of the Commissioner of Education, as submitted, effective November 23, 2010, as an emergency action upon a finding by the Board of Regents that such action is necessary to ensure that the emergency rule remains continuously in effect until it can be adopted and made effective as a permanent rule.

**ITT Technical Institute – Getzville: A.O.S., Criminal Justice  
BR (CA) 3**

**MOVED**, that the Board of Regents approve a master plan amendment for ITT Technical Institute - Getzville to authorize the Institute to offer an A.O.S. program in Criminal Justice. The amendment will be effective until November 30, 2011, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Professional Practice**

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR CA (4)**

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

**(Re)Appointments of Members to the State Boards for the Professions and  
(Re)Appointments of Extended Members to the State Boards for the Professions  
for Service on Licensure Disciplinary and/or Licensure Restoration and Moral  
Character Panels  
BR CA (5)**

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

**Motion by:** Regent James C. Dawson  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion carried unanimously

## **STANDING COMMITTEE REPORTS**

### **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on November 15, 2010. All Committee members were present, except for Regents Brooks Hopkins and Rosa, who were excused.

### **ACTION ITEMS**

#### **Special Education Mandate Relief**

Your Committee recommends that sections 200.2, 200.4, 200.5, 200.6, 200.9, 200.10, 200.11, 200.13, 200.20, 201.2 and 201.11 of the Commissioner's Regulations be amended, as submitted, effective December 8, 2010. The proposed amendment will provide mandate relief and appropriate flexibility for committees on special education (CSE) to make special education recommendations based on students' individual needs by repealing minimum level of service requirements for speech and language related services and for instruction to address the individual language needs of students with autism. The proposed amendments also authorize the addition of up to two additional students in an integrated co-teaching class when it is necessary to do so to address the unique needs of students in that class. To conform to federal and state requirements, the proposed rule will also ensure that the State regulations use language consistent with federal regulations for CSE meeting notices and State statute for district plans of service for special education. The Committee discussed the importance of keeping parents informed and using the parent guide to communicate clear and understandable information. [P-12 (A) 1]

#### **Qualified School Construction Bonds and Qualified Zone Academy Bonds**

Your Committee recommends that the emergency amendment of section 155.22 of the Regulations of the Commissioner of Education relating to Qualified Zone Academy bonds and Qualified school construction bonds, adopted at the September 13-14, 2010 Regents meeting is repealed, effective November 23, 2010. It is further recommended that section 155.22 of the Regulations of the Commissioner of Education be amended as submitted, effective November 23, 2010, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that the emergency rule adopted at the September 2010 Regents meeting, as revised, remains continuously in effect until it can be adopted as a permanent rule. The purpose of the proposed amendment is to prescribe the procedures for New York State to allocate its \$174,782,000 2010 State limitation amount to those school district bond issuers not receiving a direct federal Qualified School Construction bond allocation. In addition, the proposed amendment

revises the provisions relating to Qualified Zone Academy bonds (QZAB) to provide for a separate charter school allocation from the QZAB State limitation amount. [P-12 (A) 2]

### Charter School Action

Your Committee recommends that the Board of Regents approves and issues the charter of the Bronx Success Academy Charter School 3 as proposed by the Trustees of the State University of New York (SUNY) and issues a provisional charter to it for a term as prescribed by §2851(2)(p) of the Education Law. It further recommends that the Board of Regents approves and issues the charter of the Success Academy Charter School as proposed by the Trustees of the State University of New York (SUNY) and issues a provisional charter to it for a term as prescribed by §2851(2)(p) of the Education Law. [P-12 (A) 4]

### **MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and I move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on November 16, 2010, copies of which have been distributed to each Regent.

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

Data System Update – The Committee was given an update on the P-20 Data System including information on the \$114.7 million in additional funding from federal and state grants. Discussion focused on three major deliverables: linkages between teachers and course data, linkages between P-12 and higher education, and the Data Portal and Instructional Reporting and Improvement System. [P-12 (D) 1]

Distinguished Educator Program – The Committee discussed proposed amendments to regulations establishing criteria regarding the selection, roles, responsibilities, protocols and procedures, and expenses for distinguished educators. The proposed rule will enable the Commissioner to appoint distinguished educators to districts and schools that are experiencing extremely serious academic challenges and ensure the appointment of qualified individuals, who have experience in achieving consistent growth in academic performance or educational expertise, including superior performance in the classroom, to serve as distinguished educators to assist low performing schools. Department staff reviewed relevant research prepared by the New York Comprehensive Center, held conference calls with other state education agencies that have similar programs, consulted with experts, and held focus meetings with key stakeholder groups on the conceptual framework for a Distinguished Educator program. The proposed amendments will come back to the Committee in January for approval. [P-12 (D) 2]



Mandatory School Board Training – The Committee discussed the importance of strong leadership and governance for school boards and superintendents as districts examine their practices towards the goal of increasing the college and career readiness of our students. Discussion focused on the framework for development of proposed amendments to regulations for the required training of school board members in five major areas: roles and responsibilities of the school board; powers and duties of other governing and administrative authorities and their affect on public education; communication and interaction with the community; legal and ethical issues; and education issues. Staff will begin work on the development of proposed amendments to regulations to present to the Board of Regents at a future meeting. [P-12 (D) 4]

Release of Scores for the Grades 3-8 Testing Program 2011 – The Committee discussed two possible timelines for the release of the Grades 3-8 test results. Due to Easter falling so late in April, the tests cannot be given until the first week in May. This makes it impossible for school districts and scanning centers to maintain the scoring and scanning schedules met in 2010. The Committee was presented with two timelines. Timeline 1 maintains the aggressive milestones necessary to return test scores by the last day of school (June 23), but is impractical. Timeline 2 returns scores nine working days after school ends (July 7) which maintains an aggressive timeline, but makes it manageable for both school districts and scanning centers. The Regents endorsed the staff recommendation to follow Timeline 2. [P-12 (D) 5]

P-12 Strategic Vision – The Committee discussed the action steps, significant 2009-10 developments and Race to the Top priorities for 2010-11. [P-12 (D) 6]

Revised Comprehensive English Regents Exam: Standards Revisitation Update – The Committee revisited the discussion and previous actions taken on the implementation of the new Comprehensive English Regents Exam. The Committee discussed the challenges associated with the new exam, including cost and timing (the test is not being given during the regular January testing period; it will be administered on January 11, 2011 and schools will be required to score the test that afternoon and ship the answer sheets to the vendor by January 12, 2011). A memorandum will be sent to the field with information on steps taken to ensure that the new one-day exam is as rigorous as the previous two-day exam. Staff will provide additional updates at the December meeting. [P-12 (D) 9]

Proposed Regents State and Federal Legislative Priorities for 2011 – The Committee discussed the proposed Regents state and federal legislative priorities for P-12 that will be recommended for approval, as part of a larger package, by the full Board of Regents. The legislative proposals are aligned with the Regents budget proposals and strategic goals. The Committee discussed three State legislative priorities described in more detail below: [P-12 (A) 3]

**Raising the Achievement of English Language Learners** – The Committee discussed a recommendation by staff to adopt as a part of their legislative agenda the development of a proposal in support of additional resources and strategies needed to raise the achievement of English Language Learners (ELLs). Specifically,

three strategies are proposed to be included: (1) Parent Education Initiative; (2) Teacher Recruitment Strategy; and (3) Virtual/Blended Learning. [P-12 (D) 3]

**BOCES as Regional Leader** – The Committee discussed a recommendation by staff to adopt as a part of their legislative agenda an increased role for District Superintendents and BOCES. The District Superintendent is both chief executive of the BOCES and the Commissioner's representative in the field to promote education reforms and solve local problems. Increasingly the District Superintendent is being asked to serve as Regional Leader as well as Regional Service Provider. The Committee recommended that the proposed legislation on lifting the salary cap for District Superintendents be combined with this proposed legislation. [P-12 (D) 7]

**Intervention in Chronically Underperforming School Districts** – The Committee discussed a recommendation by staff to adopt as a part of their legislative agenda an expansion of Education Law section 306 which governs the removal of school board members under certain circumstances. Specifically, the Regents are encouraged to seek additional authority to implement a system of progressive intervention in chronically underachieving or fiscally distressed districts, which may in fact lead to the removal of a school board member(s). The general framework will be determined through discussions with stakeholder groups including NYSSBA, NYSCOSS, school officials, parents and other community members. The Committee also discussed how other states hold their school boards accountable for district performance. [P-12 (D) 8]

2011 Regulatory Agenda – The Committee discussed the P-12 portion of the 2011 Regulatory Agenda. The agenda was discussed in each standing committee meeting and was presented to the full Board of Regents for approval. [BR (A) 4]

### **STRATEGIC PLANNING WORK GROUP**

The Chief Operating Officer, Valerie Grey updated the Workgroup on workforce reduction.

Due to the State's fiscal crisis and a directive to reduce our workforce by 153 FTEs by December 31, 2010, SED will be laying off 46 employees at the end of the year. This number reflects adjustments for early retirements, other separations and attrition. SED's workforce will have been reduced by 431 FTEs, or 13.5%, since 2008. Given the significant decline in our workforce, the services SED provides will be affected.

Approximately half of the reductions will be in our Office of Cultural Education (OCE). As a result, the State Museum will be open six days per week, closing on Sundays starting January 2, 2011. Other changes will include eliminating administrative support and eventually closing Archives Regional offices as well as centralizing OCE chartering activities.

As nearly one-quarter of the reductions will be in our Office of Management Services, cleaning services, security, and mail delivery services will be reduced in our buildings. The remaining reductions will be implemented throughout the Agency.

Impacted employees will receive notification by the end of this week and our Office of Human Resources Management (OHRM) will be available to answer any questions raised by impacted employees. OHRM is also arranging meetings for impacted employees with the Department of Labor and Department of Civil Service.

### **JOINT MEETING OF ADULT EDUCATION AND WORKFORCE DEVELOPMENT COMMITTEE AND STRATEGIC PLANNING WORK GROUP**

Your AEWD Committee held its scheduled meeting on November 15, 2010. All members were present, with the exception of Regent Rosa, who was excused. Additional members of the Board attending were: Chancellor Tisch, Vice Chancellor Cofield, Regent Tallon, Regent Bendit, Regent Dawson, Regent Young, Regent Phillips, and Regent Bottar.

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

The Committee was informed that the office name has been changed to Adult Career and Continuing Education Services (ACCES) and was provided an overview of the office.

The Committee was updated on the status of General Educational Development (GED) and discussed long-term steps towards the development of a new statewide policy that would maintain students access and opportunities while providing for greater levels of student readiness and overall success rates. This was a follow up discussion from the March 2010 meeting of College and Career Readiness Working Group where the GED Program Budget and Policy were discussed. (AEWD/SP (D) 1)

Deputy Commissioner Smith discussed with the Committee AEWD Strategic Visions and Goals, 2011 Regulatory Agenda and Legislative Priorities.

### **AUDITS/BUDGET AND FINANCE**

Your Regents Subcommittee on Audits/Budget and Finance met as scheduled on November 15, 2010. Vice Chancellor Cofield, Vice Chair Bendit, Regents Phillips, Tallon, and Tilles were in attendance.

Chair's Remarks: Regent Chapey welcomed everyone and stated that the enhanced responsibilities of the Subcommittee for audit, budget and finance places it in

a position to closely watch the fiscal implications of and challenges to the implementation of the Department and Board's reform agenda.

## **ITEMS FOR DISCUSSION**

### 2011-12 Budget Request

Your Subcommittee reviewed the 2011-12 budget requests. The Department's Chief Operating Officer provided background on each of the various requests.

### October Fiscal Report

Your Subcommittee reviewed the October fiscal report. There was a discussion of the fiscal challenges facing the Department.

### 2010-11 Federal Budget Update

The Subcommittee was briefed on activity that has taken place regarding the federal budget. The lame duck session of the Congress will be meeting shortly to address the budget.

### Proposed Revised Subcommittee's Charge

The Subcommittee was briefed on the revised Charge Statement. The benefit of the new Subcommittee will be to bring together fiscal and audit issues and allow a more centralized review and discussion of issues.

### Process for Developing the 2011 -13 Audit Plan

Audit staff briefed your Subcommittee on the process that will be used to develop its next two-year audit plan. The process will involve identification of major internal control systems and Department functions, assigning relative risk and obtaining input from Department managers. The recommended results will be brought to the Subcommittee for their input. Staff will periodically brief the Subcommittee on the progress in plan development.

### Completed Audits

The Subcommittee was presented with 7 audits this month. The audits included 6 audits of school districts issued by the Office of the State Comptroller as well as one audit of a College's administration of the Tuition Assistance Program (TAP).

## **COLLEGE AND CAREER READINESS WORKING GROUP**

Your College and Career Readiness Working Group held its scheduled meeting on November 15, 2010. All Working Group members were present, except for Regent Rosa, who was excused.

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

College and Career Readiness Discussion – Michael Cohen, President of Achieve, Inc. and Allison G. Jones, Senior Fellow for Postsecondary Engagement at Achieve (formerly the Assistant Vice Chancellor of Academic Affairs at The California State University) presented national data on college and career readiness, including supporting data showing that too many students graduate from high school unprepared for college and careers. Michael Cohen discussed several key problems for the Board to think about including issues relating to college-ready cut scores on state assessments, accountability, graduation requirements and Career and Technical Education. Allison Jones talked about the Early Assessment Program (EAP) used in California which is designed to assess college readiness at the end of 11<sup>th</sup> grade, and for students not yet college ready, encourages them to use their senior year more effectively by taking a 12<sup>th</sup> grade math course and an Expository Reading/Writing class. The Expository Reading/Writing class fulfills the English requirement for college readiness.

Reporting of College- and Career-Ready High School Graduation Rates – Part II: Planning for the Transition – The Committee discussed a proposed timeline for release of college and career ready graduation rates for all schools and districts based on the percentage of graduates passing the English language arts Regents examination with a score of at least 75 percent and a mathematics Regents examination with a score of 80 percent. Between now and March, regional conversations will take place on college and career readiness policy options via regional forums, panel discussions and a statewide survey. Feedback from these conversations will be considered and possible revisions made to graduation requirements. Staff will come back to the College and Career Readiness Working Group in March 2011 with recommendations. If directed by the Regents, staff will publicize the graduation rate in March 2011.

### **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on November 16, 2010. All members were present with the exception of Chancellor Emeritus Bennett.

### **ACTION ITEMS**

**Continuation of Regents Accreditation of Teacher Education Programs: Pratt Institute.** On the basis of the institution's March 12, 2010 response to the Focused Visit Team Report and the August 15, 23, and September 1 appeal documents received, which provide evidence that the Institute has addressed all areas for improvement and that elements in the plan of action have been achieved as of fall 2010 semester, your Committee recommends that the Regents extend accreditation of the teacher education programs offered by Pratt Institute at the Brooklyn and Manhattan campuses, effective November 16, 2010, for a period beginning immediately and ending on December 31, 2013, with the following conditions:

- (1) that Pratt submit annual reports to the State Education Department with respect to the 27 areas for improvement cited in the Compliance Review Report demonstrating continuing compliance with RATE accreditation;
- (2) that Pratt undergo a follow-up site visit to be conducted before November 16, 2011 and that such site visit shall indicate continuing compliance with Regents Rules, including specific confirmation that:
  - a) the Institute can verify that all teacher education programs are in compliance with the related sections of the Commissioner's Regulations, including faculty credentials, teaching assignment, teaching loads, and sufficiency of full-time faculty;
  - b) the majority of education courses are being taught by qualified full-time faculty;
  - c) the Institute continues to document Art and Design and Library Media Specialist program assessment of candidates' achievement and graduate effectiveness and demonstrates how data inform program improvements; and
  - d) all 27 areas for improvement cited in the Focused Visit Review Report continue to be fully satisfied.

Accreditation beyond November 16, 2011 shall be contingent on a finding that Pratt's teacher education programs are in all respects in compliance with Regents Rules, Subpart 4-2.

**Petition for removal of trustees of Polytechnic University.** Approved the proposed decision declining to hold a hearing to remove the trustees of Polytechnic University pursuant to Education Law Section 226(4) and dismisses the removal petition in its entirety.

#### **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 November 16, 2010, copies of which have been distributed to each Regents.

## **MATTERS NOT REQUIRING BOARD ACTION**

**Regents 2011 Legislative Proposals.** The Committee discussed the Regents Legislative Proposals for 2011.

**2011 Regulatory Agenda.** The Committee discussed the 2011 Regulatory Agenda.

**Strategic Vision and Goals.** The Committee discussed the strategic vision and goals document.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on November 16, 2010. All Committee members were present. Chancellor Merryl 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 7 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 47 consent order applications and 8 surrender applications be granted, with five members of the committee voting acceptance of the consent application in the case of Susan M. Raymon, L.C.S.W., Cal. No. 25029, and Regent Christine D. Cea recusing herself from any consideration of this matter, and further recommends that 1 summary suspension application be granted. [PPC EXS (A) 1-3]

In the case of Isadora Guggenheim, Massage Therapist, Calendar No. 25206, we recommend that wherever the calendar number "25062" is used in the Application For Consent Order and its exhibits in this matter, said calendar number be deemed corrected and be deemed to read the correct calendar number for this matter of "25206."

In the case of Jennifer Hannah-Albon, Licensed Practical Nurse, Calendar No. 24584, in which the Board of Regents granted the respondent's Application For Consent Order on October 19, 2010, we recommend that the license number "291401" used on page one of said application in this matter be deemed corrected and be deemed to read respondent's correct license number "267474."

In the case of John P. Maffucci, Pharmacist, Calendar No. 25094, in which the Board of Regents granted the respondent's Application For Consent Order on September 14, 2010, we recommend that the title "licensed practical nurse" used on page two of said application in this matter be deemed corrected and be deemed to read respondent's correct title as a "pharmacist."

These recommendations are made following the review of 63 cases involving eleven registered professional nurses, nine licensed practical nurses, six dentists, five certified public accountants, five massage therapists, five pharmacists, four licensed practical nurses who are also registered professional nurses, two pharmacies, one acupuncturist, one architect, one chiropractor, one clinical laboratory technologist, one dental hygienist, one licensed clinical social worker, one licensed master social worker, one nurse practitioner, one physical therapist, one professional engineer, one respiratory therapist, and one veterinarian.

### Restoration Petitions

Your Committee recommends the following actions with regard to applications for the restoration of professional licenses:

That the Board of Regents deny the application for the restoration of the physician license of Lloyd George Bayme. [PPC EXS (A) 4]

That, after he has taken and passed, at his own expense, the Special Purpose Examination offered by the Federation of State Medical Boards; has completed, at his own expense, a clinical skills evaluation that has been pre-approved by the Director of the Office of Professional Medical Conduct; and has successfully followed any recommendations, including, but not limited to, the taking of specific courses, proposed by the clinical skills examiners, the physician license of Alan Roitman be restored. [PPC EXS (A) 6]

With respect to the application for the restoration of the physician license of Julius Goepf, a first motion with regard to the restoration of his license failed to achieve a majority vote. The Committee then voted unanimously to reconsider said first vote and subsequently to table the matter pending receipt of additional information. [PPC EXS (A) 5]

### Approvals

Social Work Regulations – Your Committee recommends:

That sections 74.3 through 74.7 of the Regulations of the Commissioner of Education be amended and that section 74.9 of the Regulations of the Commissioner of Education be added, as submitted, effective November 19, 2010, 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 rule remains continuously in effect until it is adopted as a permanent rule; and

That sections 74.3 through 74.4 of the Regulations of the Commissioner of Education be amended and that section 74.9 of the Regulations of the Commissioner of Education be added, as submitted, effective December 8, 2010. [PPC (A) 1]

## **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 November 16, 2010, 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 –**

- Overview of PPC Consent Agenda Items scheduled for action by the Full Board
  - Licensing Petitions [BR (A) 4]
  - Board Appointments [BR (A) 5]
- **Strategic Vision and Goals** – A discussion of Department's strategic vision and goals document, and the vision and goals for OP. [BR (D) 1/PPC (D) 3]
- **2011 Regulatory Agenda** – A discussion of upcoming regulations, which may be presented for adoption during 2011. [BR (A) 4]

**Public Accountancy Regulations** – Discussion of proposed amendments to implement the provisions of chapter 651 of the Laws of 2009 relating to the mandatory quality review program for CPA firms. [PPC (D) 2]

**Regents Oversight of Foreign Medical Schools** – Consideration of the recommendations resulting from the discussions of the study group regarding the oversight of the didactic and clinical education of the 14 dual-campus International Medical Schools that the Department has approved for purposes of long-term clinical clerkships and licensure. [PPC (D) 1]

## **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 November 16, 2010.

(Committee members: Regents Tilles, Brooks-Hopkins, Dawson, Bendit, Rosa)

In attendance were: Regents Tilles, Dawson and Bendit Absent: Regents Brooks-Hopkins and Rosa. In addition to CE Committee Members, in attendance were: Chancellor Tisch, Commissioner Steiner, Senior Deputy King and Chief of Staff Baldwin

### **ITEMS FOR DISCUSSION**

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

**Deputy's Report:** Deputy Commissioner Jeffrey Cannell greeted everyone. The Deputy's *OCE Monthly Report* that was distributed at the meeting.

#### **BR (A) 4 (Full Board) - Regulatory Agenda**

The State Administrative Procedure Act (SAPA) §202-d requires that the Department publish, each year, a regulatory agenda in the first January issue and the last June issue of the State Register. The regulatory agenda is a list containing a brief description of the subject matter of each regulation the Department is considering proposing during the coming year, together with contact information for each proposal. The filing deadline for the next publication is December 21, 2010. Carol Ann Desch provided information and answered questions pertaining to the current proposed amendments.

#### **CE (D) 2 – Public TV Annual Report for the October 2010: Public Television's Impact on Teaching & Learning - July 1, 2009 through July 31, 2010**

Section 236 of the Education Law requires public television stations to allocate at least 20% of their State Aid for “instructional television services to be provided to local educational agencies.” The law and Part 179 of the Commissioner’s regulations also require the stations to make regular reports on the programs and services they provide. Liz Hood, Director of Educational Television/Public Broadcasting presented the report to the Committee.

#### **CE (D) 4 - Turnaround Schools: Possible Roles for Arts & Cultural Institutions**

Liz Hood and Sally Bachofer spoke about opportunities to expand the relationship of cultural institutions to schools, especially schools that require academic intervention. Senior Deputy King also participated in the discussion which included a review of the need for cultural institutions increase their capacity to understand the needs of schools that require intervention.

**CE (D) 6 – Proposal to Establish a Regents Ad Hoc Advisory Committee on Deaccessioning by Chartered Museums**

Emergency regulations related to deaccessioning by chartered museums recently expired. Deaccessioning remains an important issue in the museum community. As a result, the Regents have decided to establish an Ad Hoc Advisory Committee, chaired by Carole Huxley, to address the issue of Regents regulations related to deaccessioning by chartered museums. The creation of the committee at this time will allow action on permanent regulations early in 2011. Therefore, it is recommended that the Cultural Education Committee of the Board of Regents take the following action: to approve the charge for a Regents Commission on Museums and direct staff to survey possible commission members and make recommendations for appointments to the Ad Hoc Committee.

Motion to establish the Ad Hoc Committee made by Regent Bendit

Motion Seconded by Regent Dawson

Unanimously Approved.

Regent Tilles reviewed a list of proposed members of the Ad Hoc Committee.

Motion to recommend the distributed list of members to the Ad Hoc Committee made by Regent Dawson

Seconded by Regent Bendit

Unanimously Approved

**CE (D) 1 – Broadband for All at New York Libraries**

From 2007 – 2010, The State Library's Gates Foundation Hardware Grant Program, a two-phase program, that increased broadband access and provided 421 public libraries with the computers and miscellaneous hardware and software so they could connect to the internet. This program ended in February 2010 and an Impact Report was published along with recommendations for the need for further broadband funding.

Carol Ann Desch, Coordinator of Statewide Library Services and Director of the Division of Library Development gave a brief overview and introduced presenter and project director, Mary Linda Todd, Library Development Specialist II and Jerry Schell, IT Manager from North Country Library System. Ms. Todd provided an update regarding the State Library's four current initiatives for improving broadband access in public libraries statewide and the available funding. This includes federal (ARRA/BTOP), state (OFT) and private (Gates Foundation) grant projects and what the Regents can do to enhance access to high-speed broadband connectivity for all New Yorkers through public libraries.

**BR (A) (Full Board) – Discussion of Legislative Priorities** Submitted to the CE Committee for information/discussion.

**CE (D) 5/BR (D) 1 - Strategic Vision for OCE**

The Deputy spoke of OCE's role in the Commissioner's vision and answered any questions.

**MOVED**, that the reports from the Regents Standing Committees be approved as submitted.

**Motion by:** Regent Anthony S. Bottar  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion carried unanimously, however, Chancellor Meryll H. Tisch recused herself from the Higher Education Committee portion.

**State Education Department October 2010 Fiscal Report  
BR (A) 3**

**MOVED**, that the Board of Regents accept the October 2010 State Education Department Fiscal Report as presented.

**Motion by:** Regent Charles R. Bendit  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion carried unanimously

**Approval of a \$892,500 eight month grant from The Bill & Melinda Gates Foundation to support NYS Common Core Standards and Assessment Planning  
BR (A) 6**

**MOVED**, that the Board of Regents approve acceptance of the \$892,500 grant from The Bill & Melinda Gates Foundation for common core standards assessment planning.

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

**Proposed Regents State and Federal Legislative Priorities for 2011  
BR (A) 5**

**MOVED**, that discussion of the legislative priorities in the respective board committees and approval at the full board meeting.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Charles R. Bendit  
**Action:** Motion carried unanimously

**2011 Regulatory Agenda  
BR (A) 4**

**MOVED**, that the 2011 Regulatory Agenda for the State Education Department be approved, as submitted.

**Motion by:** Regent Geraldine D. Chapey  
**Seconded by:** Regent Harry Phillips 3<sup>rd</sup>  
**Action:** Motion carried unanimously

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

<b>Name of Institution</b>	<b>Program Area</b>	<b>County of Location</b>	<b>Description of Charter Action(s)</b>
Ahira Hall Memorial Library	CE	Chautauqua	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Town of Portland;</li> <li>• change length of term of trustees to 5 years.</li> </ul>
Bridgewater Free Library	CE	Oneida	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Town of Bridgewater;</li> <li>• change number of trustees to not less than 5 nor more than 15;</li> <li>• designate Commissioner as agent for service;</li> <li>• add IRS tax language.</li> </ul>
The Charles White Archives	CE	Rockland	Grant 5 year provisional charter.
Charlotte Village and Transportation Museum	CE	Monroe	Extend provisional charter for 5 years.
Clyde-Savannah Public Library	CE	Wayne	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Clyde-Savannah Central School District;</li> <li>• specify the trustees be elected by qualified voters of Clyde-Savannah Central School District.</li> </ul>
The Great Neck Historical Society	CE	Nassau	Extend provisional charter for 5 years.
Kirkland Town Library	CE	Oneida	Amend charter to designate the service area as coterminous with Town of Kirkland.
Lancaster Public Library	CE	Erie	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Town of Lancaster, including Village of Lancaster and the portion of the</li> </ul>

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
			Village of Depew and the portion of the Town Line Census Designated Place (2000 Census) that lie within Town of Lancaster; <ul style="list-style-type: none"> <li>• designate Commissioner as agent for service;</li> <li>• add IRS tax language.</li> </ul>
Lansing Historical Association	CE	Tompkins	Make provisional charter absolute.
Lyons Public Library	CE	Wayne	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Lyons Central School District;</li> <li>• specify trustees be elected by qualified voters of Lyons Central School District.</li> </ul>
Mary E. Seymour Memorial Free Library	CE	Chautauqua	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Town of Stockton;</li> <li>• change number of trustees to not less than 5 nor more than 11;</li> <li>• delete archaic language from charter.</li> </ul>
Middleville Free Library	CE	Herkimer	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Village of Middleville;</li> <li>• change length of trustees' terms to 5 years.</li> </ul>
The Museum for African Art	CE	Queens	Extend provisional charter for 5 years.
Pittstown Historical Society	CE	Rensselaer	Extend provisional charter for 5 years.
William K. Sanford Town Library	CE	Albany	Amend charter to: <ul style="list-style-type: none"> <li>• designate service area as coterminous with Town of Colonie;</li> <li>• designate Commissioner as agent for service;</li> </ul>

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
			<ul style="list-style-type: none"> <li>• add IRS tax language.</li> </ul>
Christian Brothers Academic School of Syracuse	P-12	Onondaga	Amend charter to change name to “The Christian Brothers Academy of Syracuse, New York” and amend purposes.
Cooke Center for Learning and Development	P-12	New York	Grant 3 year provisional charter.
The Elija School	P-12	Suffolk	Amend charter to: <ul style="list-style-type: none"> <li>• change location;</li> <li>• add additional purposes;</li> <li>• extend charter for 3 years.</li> </ul>
Ithaca Waldorf School	P-12	Tompkins	Extend provisional charter for 3 years.
The Martin Luther School	P-12	Queens	Consolidate with Lutheran High School Association of New York, Inc., with The Martin Luther School as surviving corporation.
Shulamith School for Girls	P-12	Kings	Amend charter to: <ul style="list-style-type: none"> <li>• change corporate address;</li> <li>• delete authority to operate at Brooklyn address.</li> </ul>
Shulamith School for Girls of Brooklyn	P-12	Kings	Grant absolute charter in the first instance.
Sons and Daughters at Hayground	P-12	Suffolk	Grant 3 year provisional charter and consolidate with “Our Sons and Daughters, Inc.”, with Sons and Daughters at Hayground as surviving corporation.
World Institute for Management, Entrepreneurship and Communications	HE	Bronx	Extend provisional charter for 5 years.



**Appendix II**  
**REGENTS ACTIONS IN 63 PROFESSIONAL DISCIPLINE CASES**  
**AND 2 RESTORATION PETITIONS**

**November 15-16, 2010**

The Board of Regents announced disciplinary actions resulting in the summary suspension of 1 license, revocation of 6 licenses, surrender of 8 licenses, one of which was originally a certificate, and 48 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 2 restoration petitions.

**I. SUMMARY SUSPENSION**

Dentistry

**Frank Izzo**; Dentist; Schenectady, NY 12306; Lic. No. 042826; Cal. No. 25410; **Application for summary suspension granted.**

**II. REVOCATIONS AND SURRENDERS**

Chiropractic

**Christopher Joseph Green**; Massapequa, NY 11758; Lic. No. 007096; Cal. No. 25278; **Application to surrender license granted. Summary:** Licensee admitted to charges of having been convicted of 1 count of Health Care Fraud, 1 count of Mail Fraud, and 1 count of Conspiracy to Commit Health Care Fraud and Mail Fraud.

Clinical Laboratory Technology Practice

**Mauricio Miguel Martinez**; Clinical Laboratory Technologist; Delmar, NY 12054; Lic. No. 001004; Cal. No. 25354; **Application to surrender license granted. Summary:** Licensee did not contest charges that he lied on his license application and that he had been convicted of Petit Larceny.

Dentistry

**Dolly Rosen**; Dentist; New York, NY 10016; Lic. No. 045867; Cal. No. 25124; **Found guilty of professional misconduct; Penalty:** Revocation.

## Nursing

**Adolphus Quaye**; Licensed Practical Nurse, Registered Professional Nurse; Yonkers, NY 10701, Brooklyn, NY 11232; Lic. Nos. 237355, 487150; Cal. Nos. 25024, 25025; **Found guilty of professional misconduct; Penalty:** Revocation, \$10,000 fine payable within 12 months.

**Mellissa Lenora Thompson a/k/a Mellissa L. Thompson a/k/a Mellissa Thompson**; Licensed Practical Nurse, Registered Professional Nurse; Poughkeepsie, NY 12603; Lic. Nos. 245889, 519855; Cal. Nos. 25063, 25062; **Found guilty of professional misconduct; Penalty:** Revocation.

**Carol A. Garofolo**; Registered Professional Nurse; Rochester, NY 14609; Lic. No. 480993; Cal. No. 25295; **Application to surrender license granted. Summary:** Licensee admitted to the charge of taking narcotics for her personal use.

**Patricia Angella Ellis**; Licensed Practical Nurse; Mastic Beach, NY 11951; Lic. No. 284508; Cal. No. 25355; **Application to surrender license granted. Summary:** Licensee admitted the allegation that, on or about September 11, 2008, while employed at Medford Multicare Center for Living, Medford, New York, she failed to report the fall of an 88-year-old disabled patient, failed to record that said patient had fallen, and, in fact, falsely reported that the patient had not fallen.

## Pharmacy

**Md Muzammel Hussain Khan a/k/a Muzammel Khan**; Pharmacist; Holtsville, NY 11742-2534; Lic. No. 035168; Cal. No. 24999; **Found guilty of professional misconduct; Penalty:** Revocation, \$10,000 fine payable within 1 year.

## Public Accountancy

David Doron Heyman; **Certified Public Accountant; Tenafly, NJ 07670; Lic. No. 088598; Cal. No. 24766**; Application to surrender license granted. Summary: **Licensee admitted to the charge of having been convicted of Conspiracy To Commit Securities Fraud, a felony.**

**Joseph A. Murrer**; Certified Public Accountant; Rochester, NY 14616-2234; Lic. (Cert.) No. 024878; Cal. No. 25247; **Application to surrender license (certificate) granted. Summary:** Licensee admitted to the charge of having been convicted of Petit Larceny.

**David Vago**; Certified Public Accountant; Otisville, NY 10963; Lic. No. 043493; Cal. No. 25258; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Conspiracy to Commit Immigration Fraud, a felony.

#### Respiratory Therapy

**John Mohan a/k/a Plamparampil John Mohan**; Respiratory Therapist; New Hyde Park, NY 11040; Lic. No. 002223; Cal. No. 25254; **Application to surrender license granted. Summary:** Licensee could not successfully defend against the charge that, on April 8 and 9, 2009, he administered pulmonary physical therapy to a patient who was being treated for pulmonary embolism when a review of the patient's chart would have shown the therapy to be contraindicated, failed to obtain a physician's order in accordance with New York Education Law section 8501, and did not document administration of the therapy.

### **III. OTHER REGENTS DISCIPLINARY ACTIONS**

#### Acupuncture

**Brian Campo**; Bayside, NY 11360; Lic. No. 002729; Cal. No. 25252; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

#### Architecture

**George Schwarz**; New York, NY 10021-7503; Lic. No. 012075; Cal. 25142; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, \$2,500 fine payable within 6 months.

#### Dentistry

**William D. Moody**; Dentist; White Plains, NY 10601-4206; Lic. No. 030878; Cal. No. 25014; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation, \$500 fine payable within 1 month.

**Tatiana Bassin**; Dentist; Cedarhurst, NY 11516; Lic. No. 045318; Cal. No. 25106; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$2,500 fine.

**Terry Edward Grant**; Dentist; Hempstead, NY 11550; Lic. No. 042150; Cal. No. 25115; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation.

**Melissa L. Peat-Van Loan a/k/a Melissa L. Hulett a/k/a Melissa L. Hanerfeld**; Dental Hygienist; Selkirk, NY 12158; Lic. No. 021187; Cal. No. 25256; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Deepika Reddy**; Dentist; Fayetteville, NY 13066; Lic. No. 049645; Cal. No. 25407; **Application for consent order granted; Penalty agreed upon:** Partial actual suspension in certain stated areas until completion of course of retraining in each such certain stated area, 3 years probation, \$1,000 fine.

#### Engineering and Land Surveying

**Michael A. Angelone**; Professional Engineer; Oyster Bay, NY 11771-4010; Lic. No. 053676; Cal. No. 25249; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$2,000 fine.

#### Massage Therapy

**Paul M. Wrisley**; Churchville, NY 14428-9405; Lic. No. 017677; Cal. No. 25056; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

**Karl Phillip Braun**; Latham, NY 12110; Lic. No. 007194; Cal. No. 25184; **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, 3 years probation to commence upon return to practice, \$500 fine.

**Anne E. Pape**; Babylon, NY 11702; Lic. No. 019699; Cal. No. 25205; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation.

**Isadora Guggenheim**; Nyack, NY 10960; Lic. No. 003813; Cal. No. 25206; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension to be terminated earlier upon submission of certain sufficient satisfactory documentation, upon service of or upon early termination of suspension, 2 years probation, \$2,500 fine payable within 5 months.

**Jennifer A. Patituce**; Chemung, NY 12122; Lic. No. 017255; Cal. No. 25230; **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, \$500 fine.

## Nursing

**Carmalla Arrington**; Registered Professional Nurse; Buffalo, NY 14240; Lic. No. 327677; Cal. No. 24660; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, 2 years probation, \$1,500 fine.

**Barbara J. Acker**; Registered Professional Nurse; Middleburgh, NY 12122; Lic. No. 471954; Cal. No. 24790; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Lygia Orsine Van-Kust a/k/a Lydia O. VanKust a/k/a Lygia Van Kust a/k/a Lydia Van Kust**; Licensed Practical Nurse; New York, NY 10032; Lic. No. 255792; Cal. No. 25012; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, 24 months probation, \$500 fine.

**Nicole R. McAllister**; Registered Professional Nurse; Fort Lee, NJ 07024; Lic. No. 561286; Cal. No. 25020; **Application for consent order granted; Penalty agreed upon:** 3 year stayed suspension, 3 years probation, penalty to supersede penalty imposed under Associate Commissioner's Order No. 24308.

**Nicole R. McAllister**; Nurse Practitioner - Acute Care; Fort Lee, NJ 07024; Cert. No. 430280; Cal. No. 25021; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 33 month stayed suspension, 3 years probation, \$1,000 fine.

**Erica Lynn Vangor a/k/a Erica L. Vangor a/k/a Erica Vangor**; Licensed Practical Nurse; Carmel, NY 10512; Lic. No. 275145; Cal. No. 25065; **Found guilty of professional misconduct; Penalty:** Indefinite suspension until substance abuse-free and until fit to practice, probation 2 years subsequent to termination of suspension to commence upon return to practice.

**Catherine M. Hajek**; Licensed Practical Nurse; Riverhead, NY 11901; Lic. No. 251910; Cal. No. 25100; **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, \$500 fine payable within 1 month.

**Dorothy Johnson**; Licensed Practical Nurse, Registered Professional Nurse; Blue Point, NY 11715; Lic. Nos. 259195, 507544; Cal. Nos. 25112, 25113; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 11 month stayed suspension, 1 year probation.

**Shelly Rene Trombetta**; Licensed Practical Nurse; Clarence, NY 14039; Lic. No. 279362; Cal. No. 25122; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Scott Chun**; Licensed Practical Nurse; Levittown, NY 11756-3408; Lic. No. 289617; Cal. No. 25127; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 2 years probation.

**Jessica Acosta**; Licensed Practical Nurse; Central Islip, NY 11722-4739; Lic. No. 287461; Cal. No. 25146; **Application for consent order granted; Penalty agreed upon:** Censure and Reprimand, 1 year probation.

**Marilyn Elizabeth Sarmis**; Registered Professional Nurse; Port Jefferson Station, NY 11776-4412; Lic. No. 371911; Cal. No. 25175; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Arthur Douse**; Licensed Practical Nurse, Registered Professional Nurse; Brooklyn, NY 11233; Lic. Nos. 140860, 355188; Cal. Nos. 25176, 25177; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for not less than 6 months and 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.

**Perian Dorson**; Licensed Practical Nurse; Olean, NY 14760; Lic. No. 242754; Cal. No. 25182; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Cynthia Russo**; Registered Professional Nurse; South Setauket, NY 11720; Lic. No. 559771; Cal. No. 25186; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

**Karen F. Rothblat**; Registered Professional Nurse; Melville, NY 11747; Lic. No. 336850; Cal. No. 25187; **Application for consent order granted; Penalty agreed upon:** 3 year stayed suspension, 3 years probation to commence upon February 27, 2012 expiration of probation under Deputy Commissioner's Order No. 20036, \$1,000 fine.

**Oswald S. David**; Registered Professional Nurse; Brooklyn, NY 11236; Lic. No. 429373; Cal. No. 25193; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation to commence upon return to practice, \$1,000 fine payable within 30 days.

**Gregg Thomas Maloy**; Registered Professional Nurse; Peekskill, NY 10566; Lic. No. 598375; Cal. No. 25221; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation.

**Asha Suwanna Cox**; Registered Professional Nurse; Brooklyn, NY 11221-1401; Lic. No. 590389; Cal. No. 25222; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation.

**Lemuria Verderber**; Licensed Practical Nurse; Oneonta, NY 13802-2282; Lic. No. 276109; Cal. No. 25257; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$250 fine.

**Kelly Michelle Harpe**; Registered Professional Nurse; Mechanicville, NY 12118-2507; Lic. No. 591592; Cal. No. 25296; **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.

### Pharmacy

**Yolanda C. Bacayon**; Pharmacist; West Babylon, NY 11704; Lic. No. 033719; Cal. No. 24725; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

**Christopher Alan Moore**; Pharmacist; Oak Park, IL 60302; Lic. No. 047874; Cal. No. 24738; **Application for consent order granted; Penalty agreed upon:** 1 year actual suspension to be terminated earlier upon successful completion of certain coursework, upon service or upon earlier termination of suspension, 1 year probation, \$500 fine payable within 1 month; inform agency 7 days prior to return to practice in New York State.

**Jomesse Enterprises Inc. d/b/a Dunbar Pharmacy**; 2580 Seventh Avenue, New York, NY 10039; Pharmacy; New York, NY 10039; Reg. No. 024584; Cal. No. 24903; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$10,000 fine.

**Michael S. Horn**; Pharmacist; Riverdale, NY 10463-1633; Lic. No. 023739; Cal. No. 25173; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$1,500 fine.

**727 Allerton Drug Corp.**, 727 Allerton Avenue, Bronx, NY 10467; Pharmacy; Bronx, NY 10467; Reg. No. 021059; Cal. No. 25181; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$2,500 fine.

**Alicia Mercedes Trapaga**; Pharmacist; Bronx, NY 10465; Lic. No. 035849; Cal. No. 25213; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$2,500 fine.

### Physical Therapy

**James Bamidele Akinwunmi**; Physical Therapist; Fishkill, NY 12524; Lic. No. 014823; Cal. No. 25189; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$7,500 fine.

### Public Accountancy

**Paul T. Clark**; Certified Public Accountant; West Seneca, NY 14224-2918; Lic. No. 034478; Cal. No. 25057; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

**Steven Lowell Wagner**; Certified Public Accountant; Monroe, NY 10950; Lic. No. 051359; Cal. No. 25132; **Application for consent order granted; Penalty agreed upon:** Partial actual suspension in certain areas until successful completion of certain amount of credits in those certain areas, upon termination of partial actual suspension, 2 years probation, \$5,000 fine payable within 5 months.

### Social Work

**Susan M. Raymon**; Licensed Clinical Social Worker; Highland Park, NJ 08904; Lic. No. 047617; Cal. No. 25029; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation to commence upon return to practice in New York State, \$1,000 fine payable within 6 months.

**Bradley Y. Parker**; Licensed Master Social Worker; Smithtown, NY 11787; Lic. No. 062598; Cal. No. 25105; **Application for consent order granted; Penalty agreed upon:** 4 month actual suspension, 20 month stayed suspension, 2 years probation, \$2,500 fine.

### Veterinary Medicine

**Jeffery L. La Point**; Veterinarian; Ithaca, NY 14850; Lic. No. 007017; Cal. No. 24991; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for no less than 3 months, to be served between December 1, 2010 and February 28, 2011 and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$750 fine.



#### **IV. RESTORATIONS**

The Board of Regents voted on November 16, 2010 to deny the petition for restoration of the physician license of Lloyd George Bayme, Great Neck, New York 11021. Dr. Bayme's license was originally surrendered November 6, 1997.

The Board of Regents voted on November 16, 2010 to grant the application for restoration of the physician license of Alan Roitman, Woodbury, NY 11797, after he has taken and passed, at his own expense, the Special Purpose Examination offered by the Federation of State Medical Boards, and has completed, at his own expense, a clinical skills evaluation that has been pre-approved by the Director of the Office of Professional Medical Conduct, and has successfully followed any recommendations, including, but not limited to, the taking of specific courses, proposed by the clinical skills examiners. Dr. Roitman's license was originally surrendered March 25, 2002.