



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 November 2015 Meeting

**DATE:** December 7, 2015

**AUTHORIZATION(S):**

*MaryEllen Elin*

**Executive Summary**

**Issue for Decision**

Review of the Summary of the November 2015 Meeting of the Board of Regents.

**Proposed Handling**

Approval of the Summary of November 2015 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 2015 meeting.

**Timetable for Implementation**

Effective December 15, 2015.

**VOTED**, that the Summary of the November 2015 Meeting of the Board of Regents of The University of the State of New York be approved.



***SUMMARY OF THE NOVEMBER 2015 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 16 and 17, 2015***

***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, November 16, 2015 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, November 16<sup>th</sup> at 9:00 a.m.**

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

Merryl H. Tisch, Chancellor  
Anthony S. Bottar, Vice Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
Wade S. Norwood  
James E. Cottrell  
T. Andrew Brown  
Josephine Victoria Finn  
Judith Chin  
Beverly Ouderkirk  
Catherine Collins  
Judith Johnson

Also present were Commissioner of Education, Mary Ellen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent Kathleen M. Cashin was absent and excused.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Tuesday, November 17 at 11:05 a.m. to discuss personnel and litigation matters.

**Motion by:** Vice Chancellor Anthony S. Bottar  
**Seconded by:** Regent James R. Tallon Jr.  
**Action:** Motion carried unanimously

## **INTRODUCTION**

Commissioner MaryEllen Elia introduced Senior Deputy Commissioner for Educational Policy Jhone Ebert.

## **PRESENTATION**

### **Supporting English Language Learners, Their Families and School Districts**

Deputy Commissioner Angelica Infante and Assistant Commissioner Lissette Colon-Collins gave a presentation to the Board on supporting English language learners, their families and school districts (Attachment I).

## **BUFFALO OVERVIEW**

Commissioner Elia provided an overview of determinations on persistently failing schools in Buffalo including extending school days, hourly rate for teachers and staff development.

Chancellor Merryl H. Tisch adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, November 17 at 11:40 a.m.**

**Board Members in Attendance:**

Anthony S. Bottar, Vice Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
James E. Cottrell  
Josephine Victoria Finn  
Judith Chin  
Beverly Ouderkirk  
Catherine Collins  
Judith Johnson

Also present were Commissioner of Education, Mary Ellen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Meryll H. Tisch and Regents Kathleen M. Cashin, Wade S. Norwood and T. Andrew Brown were absent and excused.

Vice Chancellor Anthony S. Bottar called the meeting to order at 11:40 a.m.

**ACTION ITEMS**

**Charter Applications  
BR (A) 1 - REVISED**

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

**Supplemental Charter Application  
BR (A) 1 - SUPPLEMENTAL**

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

**Summary of the October 2015 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the October 2015 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent James E. Cottrell  
**Seconded by:** Regent Judith Johnson  
**Action:** Motion carried with an amendment to the October 26, 2015 discussion to read 'Update on the Common Core Standards and APPR Review' (October Meeting Summary, BR (A) 2 – REVISED).

**PROGRAM AREA CONSENT ITEMS**

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

**Proposed amendment of section 100.7 of the Regulations of the Commissioner of Education, relating to the State High School Equivalency Diploma  
BR (CA) 1**

**MOVED**, that section 100.7 of the Regulations of the Commissioner of Education be amended as submitted, effective December 2, 2015.

**Higher Education**

**Conferral of Degrees: Elyon College and Taylor Business Institute  
BR (CA) 2**

**MOVED**, that the Board of Regents confer upon the following individuals, who have completed the requirements for their registered degree programs at Elyon College and Taylor Business Institute, the respective degrees as listed below:

**Elyon College**

The following students have completed the requirements for the Associate in Applied Science (A.A.S.):

1. Belilovsky, Julia
2. Dribinskaya, Nadia
3. Hayes, Lubov
4. Kirsan, Vladiana
5. Loginova, Marina
6. Makarenko, Svetlana
7. Podolyan, Mariya

8. Rudoy, Liya
9. Ryabkin, Roza
10. Zhok, Katriel

The following students have completed the requirements for the Associate in Science (A.S.):

11. Beck, Batsheva B.
12. Feldman, Baila
13. Fishman, Rose
14. Friedman, Gitty
15. Furst, Rivkah Chaya
16. Hager, Elka
17. Kresch, Rivky Ricky
18. Mayer, Dina
19. Mayer, Sussi
20. Nagel, Gitty
21. Ringel, Henny M.
22. Rosenberg, Malka
23. Schimmel, Rachel
24. Schwartz, Faigy
25. Seide, Leah
26. Tobal, Esther
27. Urbach, Tzivia
28. Weingarten, Raiza
29. Weintraub, Chava

**Taylor Business Institute:**

The following student has completed the requirements for the Associate in Occupational Studies degree (A.O.S.):

3079. Colon, Jocelyn

**Degree Authorization and Master Plan Amendment: The College of Westchester,  
B.S. in Interactive Digital Media  
BR (CA) 3**

**MOVED**, that the Board of Regents authorize The College of Westchester to award the Bachelor of Science (B.S.) degree and approve a master plan amendment to authorize the College to offer its first program in the Fine Arts discipline. The amendment will be effective until November 17, 2016, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**D'Youville College: Master Plan Amendment to offer a Master of Science in  
Anatomy Program  
BR (CA) 4**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize D'Youville College to offer a program in Anatomy leading to a Master of Science degree. The amendment will be effective until November 17, 2016, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Degree Authorization and Master Plan Amendment: CUNY School of Professional Studies  
BR (CA) 7 – REVISED**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize the CUNY School of Professional Studies to confer degrees, and authorize the School to award the Bachelor of Arts (B.A.); Bachelor of Science (B.S.); Master of Arts (M.A.); and Master of Science (M.S.) degrees. The amendment will be effective until November 17, 2016, unless the Department registers the programs to the School of Professional Studies prior to that date, in which case master plan amendment shall be without term.

**Proposed Amendment of Section 30-1.3 of the Rules of the Board of Regents and Subpart 82-1 and Addition of a New Subpart 82-3 of the Regulations of the Commissioner of Education Relating to Probationary Appointments and Teacher Tenure Hearings to Implement Subparts D and G of Chapter 56 of the Laws of 2015  
BR (CA) 8**

**MOVED**, that that subdivision (d) of Section 30-1.3, the title of Subpart 82-1, and Section 82-1.1 of the Regulations of the Commissioner of Education be amended, and that a new Subpart 82-3 of the Regulations of the Commissioner of Education be added, as submitted, effective November 20, 2015, as an emergency action upon a finding of the Board of Regents that such action is necessary for the preservation of the general welfare in order to revise the regulation to timely implement the provisions of Subparts D and G of Chapter 56 of the Laws of 2015 and to ensure that the rule remains continuously in effect until it can be adopted as a permanent rule; and

**MOVED**, that subdivision (d) of Section 30-1.3, the title of Subpart 82-1, and Section 82-1.1 of the Regulations of the Commissioner of Education be amended, and that a new Subpart 82-3 of the Regulations of the Commissioner of Education be added, as submitted, effective December 2, 2015

**P-12 Education**

**Amendment of Subpart 30-2 and Addition of a New Subpart 30-3 to the Rules of the Board of Regents and Section 100.2(o) of the Commissioner's Regulations, Relating to Annual Professional Performance Reviews of Classroom Teachers and Building Principals to Implement Subparts D and E of Part EE of Chapter 56 of the Laws of 2015  
BR (CA) 5**



**MOVED**, that the Title of Subpart 30-2, subdivisions (b) and (d) of section 30-2.1, subdivision (c) of section 30-2.11 of the Rules of the Board of Regents and subdivision (o) of section 100.2 of the Commissioner's regulations be amended and a new section 30-2.13 and Subpart 30-3 of the Rules of the Board of Regents be added, as submitted, effective November 27, 2015, 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 Subpart E of Part EE of Chapter 56 of the Laws of 2015 relating to a new annual evaluation system for classroom teachers and building principals and thereby ensure that school districts and BOCES may timely implement the new evaluation requirements for classroom teachers and building principals in accordance with the statute and to ensure that the emergency rule adopted at the June and September 2015 meetings remains continuously in effect until it can be adopted as a permanent rule.

### **Professional Practice**

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

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

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

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

**Motion by:** Regent Christine D. Cea  
**Seconded by:** Regent Judith Chin  
**Action:** Motion carried. Regents Betty A. Rosa, Judith Chin, Beverly Ouder Kirk, Catherine Collins and Judith Johnson opposed BR (CA) 5 only.

### **STANDING COMMITTEE REPORTS**

#### **ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)**

Your ACCES Committee held its scheduled meeting on November 16, 2015. All members were present, with the exception of Regent Cashin, who was excused.

## MATTERS NOT REQUIRING BOARD ACTION

Review of Consent Agenda Item – Your committee was provided a brief review of the Proposed Amendment of Section 100.7 of the Regulations of the Commissioner of Education, Relating to the State High School Equivalency Diploma. This item will come before the Board of Regents as a consent item at its full board meeting. It is recommended that the Board of Regents adopt the amendment and that the proposed amendment take effect on December 2, 2015.

## **CULTURAL EDUCATION**

Your Committee on Cultural Education had its scheduled meeting on November 17, 2015. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Chair, Regent Bendit, Regent Cea, Regent Cottrell, Regent Brown, Regent Finn, Regent Chin, Regent Ouderkirk and Regent Johnson. In addition to CE Committee Members, in attendance were: Commissioner Elia and Executive Deputy Commissioner Berlin.

## ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting. Regent Tilles reminded everyone about the report from the Blue Ribbon panel on Arts Assessment that will be held in the Huxley Theater in the Cultural Education Center at 1pm today. He encouraged staff and Regents to attend. Regent Tilles turned the meeting over to OCE Director of Operations Tom Ruller.

### **Creating New Knowledge through Archival Research**

James Folts, Supervisor of Research Services at the State Archives, provided an overview of the Hackman Research Residents program at State Archives. He also provided an overview of the mandate and programs of the State Archives. Mr. Folts reviewed selection process for residents. He also highlighted some of the more significant or notable research projects that have used records in the State Archives and have resulted in publications. Regent Bendit encouraged staff to examine opportunities to provide research support or exposure to researchers for students in K-12, especially high school students who would benefit either from support for their own research or assisting a scholar who is doing research. Mr. Ruller reviewed a number of the programs for students including the annual student research awards program.

### **New York State History Month**

Mark Schaming, Director of the State Museum announced the acquisition of a model for a building designed by Phillip Johnson. He remarked that the model is currently on display at the Museum. He then introduced Senior Historian Jennifer Lemak, who reviewed activities, programs and special exhibitions both in Albany and statewide in recognition of November's New York State History Month. Ms. Lemak introduced Kathryn Weller, Chief of Education and Visitors Services at the Museum who reported

to the committee on activities that the Museum is pursuing to increase awareness by teachers about History Month activities. The Commissioner suggested that the Department partner with Public Broadcasting stations to highlight local activities related to history month.

### **Statewide Summer Reading Program Report**

Bernard Margolis, State Librarian, introduced a new handbook for Library Trustees that was distributed to all committee members. He indicated that the handbook is also available online and that the handbook, which is 112 pages long, was produced in collaboration with the New York Library Association and the Suffolk Cooperative Library System. Mr. Margolis introduced Carol Desch, Manager of the Division of Library Development in the State Library who reported that the participation in the 2015 Statewide summer reading program was 1.99 million school age children. In response to a question from Regent Bendit, Karen Balsen, Coordinator for the Statewide Summer Reading Program in the State Library responded that we are working on ways to gather data that will correlate participation in the statewide summer reading program with student achievement on the ELA examinations. Staff will explore this issue further and will evaluate the results of a similar study in the State of Virginia that that explores this issue.

## **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on November 17, 2015

Matters not requiring action:

### **Proposed Amendments of Subpart 4-1 of the Rules of the Board of Regents Relating to Voluntary Institutional Accreditation for Title IV Purposes**

Your Committee discussed several technical amendments related to reporting and to clarify steps in the process and make clear the basis upon which accreditation recommendations and determinations are made. It is anticipated that the proposed amendment will be submitted to the Board of Regents for adoption at the February 2016 Regents Meeting.

### **Proposed Amendment of Part 83 of the Regulations of the Commissioner of Education Relating to Good Moral Character Proceedings on Charges Against a Certified Educator**

Your Committee discussed amendments to make Part 83 consistent with Section 3020-a and 3020-b. The proposed amendments would eliminate the use of hearing panels, create a rotational list of qualified hearing officers, clarify the right of the Commissioner to review a hearing officer's report of findings and recommendations, clarify appeal/review procedures, and also clarifies the authority of the Commissioner to remand a matter to the extent deemed necessary, for instance, in cases where there may have been a misapplication of law or burden of proof, or an inconsistent penalty for similar misconduct. After discussion, the Committee asked that the proposed

amendment be revised regarding the use of the hearing panel and be brought back in December for further discussion.

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on November 16, 2015. All members were present except for Regent Cashin, who was excused.

### **ACTION ITEMS**

#### **Exemption of Student with a Disability from CPR/AED Requirement [P-12 (A) 1]**

Your Committee recommends that a new subparagraph (iv) of paragraph (11) of subdivision (c) of section 100.2 of the Regulations of the Commissioner be added as submitted, effective November 17, 2015, 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 the timely implementation during the 2015-2016 school year, of the exemption option for students with disabilities from the requirement for instruction in hands-only CPR and the use of AEDs in senior high school.

#### **Initial Applications and Charters Authorized by the Board of Regents [P-12 (A) 2]**

Your Committee recommends that the Regents find that: (1) the proposed charter school 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 a charter and provisional charter to the School in the Square Public Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law.

Your Committee recommends that the Regents find that: (1) the proposed charter school 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 a charter and provisional charter to the South Bronx Community Charter High School for a term of five years in accordance with §2851(2)(p) of the Education Law.

Your Committee recommends that the Regents find that: (1) the proposed charter school 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 a charter and provisional charter to the Exploration Elementary Charter School for Science and Technology for a term of five years in accordance with §2851(2)(p) of the Education Law.

Regent Bendit recused himself from the vote.

Committee members requested that staff provide additional information on district capacity and saturation rate at a future meeting.

#### 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 November 17, 2015, copies of which have been distributed to each Regent.

#### MATTERS NOT REQUIRING BOARD ACTION

Opportunities Related to NYS Standards, Curriculum and Assessments – The Governor’s Common Core Task Force is organized into three work groups – Standards, Curriculum, and Assessments. Commissioner Elia is a member of all three groups. Today’s presentation focused on the Department’s work relating to standards, curriculum and assessments and anticipated recommendations that the Commissioner will provide to the Common Core Task Force. The recommendations will be shared with the Regents prior to sharing with the Task Force.

#### **Recommendations**

##### Standards

- Continue and finish the review of the Common Core Learning Standards, including the AIMHighNY survey.
- Commit to conducting comprehensive reviews of the State’s learning standards every five years, including a robust public engagement strategy.

##### Curriculum

- Create a “Teacher Portal”.

- Work with the field to provide curricular resources for new generation science and social studies standards as they are adopted and implemented.
- Invest in engageNY to enhance resources made available to districts and teachers.
- The Governor and Legislature should commit to a five-year investment of new state resources for Teacher and Principal professional development and training.

## Assessments

- Extend the current freeze on reporting grades 3-8 test results on official student transcripts or permanent through the 2018-19 school year.
- Convene a Next Generation Assessments Commissioner Advisory Council.
- Continue guidance to the field regarding the negative effects of “test prep” practices.
- Gather input from the field regarding whether to allow students who are meaningfully engaged in the task to continue working on the ELA and mathematics tests as long as they need beyond the standard administration window.
- Require educator candidates for certification to have embedded in their curriculum assessment literacy to ensure research-based and informed use of assessments in classrooms.
- Issue follow-up Teach More, Test Less Reports to districts to reduce local overtesting.
- The Governor and Legislature should fund the Regents budget request to establish a Native Language Arts assessment.
- The Governor and Legislature should fund the Regents budget request to improve the assessment of students with severe disabilities to allow students to more fully demonstrate their knowledge by adapting to their level of proficiency.

Additionally, the Commissioner will recommend that the Department increase and strengthen communication and engagement with parents, families and communities.

Race to the Top Budget Breakdown – the Committee was provided with a breakdown of the expenditure of the \$696 million Race to the Top award. Discussion focused on key activities such as engageNY, Strengthening Teacher and Leader Effectiveness and School Turnaround Efforts. Over 1,000 grants were awarded from the LEA 50% share and state side projects. New York spent 100% of the State’s allocation; LEAs spent their entire 50% share except for \$70,186. With the success of New York State’s Race to the Top efforts, Regents requested talking points that they can use when they are working with their constituents.

Placement of Students with Disabilities in the Least Restrictive Environment [P-12 (D) 2] – the Committee discussed information on the following topics:

- The research-based benefits to the inclusion of students with disabilities in general education classrooms and activities;

- The rights of students with disabilities under federal and State law and regulation relating to receipt of their special education programs and services in least restrictive environment (LRE);
- Board of Regents policies and goals on LRE;
- A historical review of Department initiatives to address LRE;
- Current status of New York State data results on LRE; and
- A proposed policy to increase the percentages of students with disabilities in LRE placements

Next steps include continuing engagement with the field and dissemination and discussion of the data. The Regents will be provided with next steps at their December meeting.

#### Consent Agenda

The Board of Regents will take action on the following consent agenda item at their November 17, 2015 meeting.

- Annual Professional Performance Reviews of Classroom Teachers and Building Principals

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

Your P12 Education/ACCES Committees held its scheduled meeting on November 16, 2015. All members were present, with the exception of Regent Cashin, who was excused.

#### MATTERS NOT REQUIRING BOARD ACTION

National External Diploma Program – Your committee was provided with information regarding the National External Diploma Program (NEDP), including New York State's current use of the program. The authorization of the NEDP as a local High School Equivalency Diploma was first adopted at the November 1984 Regents meeting which added Section 100.8 as part of a new Part 100. The new regulation allowed boards of education to award a local high school equivalency diploma based upon experimental programs approved by the Commissioner and was made effective September 1, 1985. NEDP is an applied performance assessment system administered by Comprehensive Adult Student Assessment Systems (CASAS) for adults and out-of-school youth who are seeking a high school diploma. To complete the program, participants must demonstrate mastery of skills for success in postsecondary education and the workplace. After the student completes all tasks, a final evaluation is done by an NEDP reviewer. Upon approval, the student is granted a local high school equivalency diploma. Currently in New York State, NEDP does not lead to a State Equivalency Diploma under CR100.7, only a local equivalency diploma under CR 100.8 and students

must be at least 21 years or older. For this reason, it is recommended that the Board direct the Department to investigate the benefits and limitations of amending the Commissioner's Regulations such that NEDP would result in a State high school equivalency diploma rather than a local high school equivalency diploma and investigate the benefits and limitations of amending the Department's minimum age of participation in New York State from 21 to 18 to allow for increased enrollment in the NEDP program and to decrease the potential gap between when a student leaves high school and can subsequently begin an NEDP program.

## **P-12 EDUCATION/PROFESSIONAL PRACTICE JOINT MEETING**

Your P-12 Education Committee and Professional Practice Committee held a joint meeting on November 16, 2015. All members were present except for Regent Cashin who was excused. Chancellor Tisch also attended, but did not vote on any case or action.

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

#### **Intersections Between the Work of the Office of the Professions and other Educational Initiatives [P-12/PPC (D) 1]**

The Committee discussed school-based health services, health education in schools, pathways to professional careers, and other unique ways that linkages can be strengthened between the Office of the Professions and P-12 Educational Areas.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on November 17, 2015. All members were present, except Regent Wade S. Norwood who was excused. Regent Judith Johnson and Regent Beverly L. Ouderkirk were also present, but did not vote on any cause or action.

### **ACTION ITEMS**

#### **Professional Discipline Cases**

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 5 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 31 consent order applications and 5 surrender applications be granted. [PPC EXS (A) 1-3]

In the case of Howard Bennett, Licensed Practical Nurse, Calendar No. 27820, we recommend that the recommendation as to the penalty to be imposed rendered by the Regents Review Committee be accepted, except that term of probation numbered 4 be



deemed deleted and terms of probation numbered 5 through 8 be deemed renumbered as terms of probation numbered 4 through 7, respectively.

These recommendations are made following the review of 41 cases involving ten licensed practical nurses, nine registered professional nurses, four licensed practical nurses who are also registered professional nurses, three certified public accountants, two licensed clinical social workers, two pharmacists, one chiropractor, one licensed master social worker, one occupational therapist, one podiatrist, one professional engineer, and one registered professional nurse who is also a nurse practitioner (family health).

### **Restorations**

Your Committee recommends the following:

That the application of Robert Duca for the restoration of his license to practice as a pharmacist in New York State be denied. [PPC EXS (A) 4]

That the application of Martin Ehrenberg for the restoration of his license to practice as a physician in New York State be denied. [PPC EXS (A) 5]

That the revocation of Malcolm E. Scoon's license to practice as a physician in New York State be stayed and that he be placed on probation for no less than one year under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Regent Cottrell was recused from the consideration of this item. [PPC EXS (A) 7]

That the application for reconsideration of the Board of Regents determination of March 20, 2012 and the resulting Vote and Order dated May 10, 2012, regarding the petition of Hank Ross for restoration of his license to practice as a physician in the State of New York, be granted; and that the recommendation of the Committee on the Professions for a probationary period of three years be accepted. [PPC EXS (A) 8]

### **Approvals**

Regulations: Collaborative Drug Therapy Management for Pharmacists – Your Committee recommends the following:

That section 63.10 of the Regulations of the Commissioner of Education be amended as submitted, effective December 13, 2015, 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 immediately establish requirements and otherwise conform the Regulations of the Commissioner of Education to timely implement the provisions of Chapter 238 of the Laws of 2015, which include the expansion of the collaborative drug therapy management program to general hospitals and nursing homes with an on-site pharmacy staffed by a licensed pharmacist.

## 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 17, 2015, 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

- Full Board Consent Agenda Items
- Board (Re)Appointments
- Licensing Petitions

Licensing Examination Requirements for Dental Hygienists – Proposed amendments to Section 61.7 of the Regulations of the Commissioner of Education relating to the licensing examination requirements for dental hygienists. [PPC (D) 1]

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

## **State Education Department October 2015 Fiscal Report BR (A) 3**

**MOVED**, that the Board accepts the October 2015 State Education Department Fiscal Report as presented.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Christine D. Cea  
**Action:** Motion carried unanimously.

## **APPOINTMENT**

### **Appointment of Assistant Commissioner for the New York State Archives BR (A) 4**

**MOVED**, that the Board of Regents approve the appointment of Thomas Ruller to the position of Assistant Commissioner for the New York State Archives effective November 18, 2015.

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

Vice Chancellor Anthony S. Bottar adjourned the meeting.

**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>
Anthology Film Archives	CE	New York	Merge with "Film Art Fund, Inc.", a New York NFP corporation, with the Anthology Film Archives, as the survivor, and amend and restate its corporate purposes.
Central Square Library	CE	Oswego	Amend charter to: -change the number of trustees from a fixed number to a range of not less than five nor more than fifteen; -designate the library's service area to be coterminous with the Village of Central Square; -designate Commissioner as agent for service; and -update IRS dissolution language.
Dunkirk Public Library	CE	Chautauqua	Grant an absolute charter in the first instance.
The Museum for African Art	CE	New York	Consent to filing of certificate of assumed name "The Africa Center".
NY 3Rs Association	CE	St. Lawrence	Amend certificate of incorporation to change the corporate name to "Empire State Library Network".
Nassau County Library Association	CE	Nassau	Amend charter to change the principal office location.
New York City Fire Museum	CE	New York	Grant an absolute charter
Philadelphia Historical Society	CE	Jefferson	Extend provisional charter for five years.
Rochester Tennis Hall of Fame	CE	Monroe	Grant provisional charter for five years.
Waterville Historical Society	CE	Oneida	Amend charter to update 501(c)(3) tax exemption language.
The Adirondack School of	P12	Washington	Extend provisional charter for three years.

Northeastern New York			
The Brookwood School	P12	Otsego	Extend provisional charter for three years.
Catholic School Region of Staten Island	P12	New York	Amend charter to include a new school location.
City of Faith Christian School	P12	Bronx	Extend provisional charter for three years.
Greene Hill School	P12	Kings	Extend provisional charter for three years.
The Learning Tree S.T.E.M.- ARTS School	P12	Queens	Grant provisional charter for three years.
Reach for the Stars Learning Center	P12	Kings	Extend provisional charter for three years.
Williamsbridge NAACP Early Childhood Education Center	P12	Bronx	Grant an absolute charter and merge with the "Williamsbridge N.A.A.C.P. Day Care Center", a domestic NFP corporation, with Williamsbridge NAACP Early Childhood Education Center as the survivor.

### SUPPLEMENTAL CHARTER APPLICATION

<b>Name of Institution</b>	<b>Program Area</b>	<b>County of Location</b>	<b>Description of Charter Action(s)</b>
Clarkson University	HE	St. Lawrence	Amend effective date of order of merger with Union Graduate College from January 1, 2016 to February 1, 2016.

## **Appendix II**

### **REGENTS ACTIONS IN 43 PROFESSIONAL DISCIPLINE CASES AND 4 RESTORATION PETITIONS**

November 16 - 17, 2015

The Board of Regents announced disciplinary actions resulting in the surrender of 5 licenses, and 37 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 3 restoration petitions.

#### **I. SURRENDERS**

##### **Nursing**

Lynn C. Maloni; Registered Professional Nurse; Lewiston, NY 14092-1101; Lic. No. 265641; Cal. No. 28494; Application to surrender license granted. Summary: Licensee did not contest charges of having failed to ensure that a patient had a written plan for palliative care and having failed to ensure the completion of physician orders for 2 patients.

##### **Occupational Therapy**

Nicole Janelle Shellard; Occupational Therapist; St. James, NY 11780; Lic. No. 012229; Cal. No. 27089; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Manslaughter in the 2nd Degree, a class C felony, Vehicular Manslaughter in the 2nd Degree, a class D felony, Leaving the Scene of an Incident Without Reporting, a class D felony, Operating a Motor Vehicle Under the Influence of Drugs or Alcohol, an unclassified misdemeanor, and Reckless Driving, an unclassified misdemeanor.

##### **Pharmacy**

Purnachandra Reddi Aramalla a/k/a Purna Chandra Aramalla; Pharmacist; Minersville, PA 17954; Lic. No. 037727; Cal. No. 28554; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Conspiracy to Commit Wire Fraud and Health Care Fraud and Attempted Tax Evasion, both felonies.

##### **Podiatry**

Igor Loshakov; North Woodmere, NY 11581; Lic. No. 005883; Cal. No. 28478; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of 3 counts of Health Care Fraud, a class C felony.

## **Public Accountancy**

Andrew C. Kober; Certified Public Accountant; Stamford, CT 06903; Lic. No. 054285; Cal. No. 28567; Application to surrender license granted. Summary: Licensee admitted to the charge of Failing to complete required continuing professional education.

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

### **Chiropractic**

Jeffrey Richard Failing; Rochester, NY 14622; Lic. No. 008930; Cal. No. 28184; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

### **Engineering and Land Surveying**

Kurt Andrew Stenberg; Professional Engineer; Providence, RI 02906-2006; Lic. No. 076737; Cal. No. 28129; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$750 fine.

### **Nursing**

Heidi Lynne Kubit; Registered Professional Nurse; Bay Shore, NY 11706; Lic. No. 590012; Cal. No. 27288; Application for consent order granted; Penalty agreed upon: 3 month actual suspension commencing January 1, 2016 and terminating March 31, 2016, 21 month stayed suspension, 2 years probation (concurrent), \$1,500 fine.

Marie Lucie Mingot; Licensed Practical Nurse; Brooklyn, NY 11236-3002; Lic. No. 268164; Cal. No. 27756; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation.

Vicki Marie Kitts; Registered Professional Nurse; Liverpool, NY 13090; Lic. No. 510602; Cal. No. 27814; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Howard Bennett; Licensed Practical Nurse; Seneca Falls, NY 13148; Lic. No. 134351; Cal. No. 27820; Found guilty of professional misconduct; Penalty: \$750 fine, 2 year suspension, execution of suspension stayed, probation 2 years.

Cynthia Pascal; Licensed Practical Nurse; Skaneateles, NY 13152; Lic. No. 264040; Cal. No. 27925; Found guilty of professional misconduct; Penalty: 24 month suspension, execution of last 18 months of suspension stayed, probation 2 years to commence subsequent to termination of actual suspension and upon actual return to practice.

Courtney C. Ball; Registered Professional Nurse; Rochester, NY 14617; Lic. No. 607710; Cal. No. 27971; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Shannon Marie Salva; Registered Professional Nurse; Syracuse, NY 13209; Lic. No. 492732; Cal. No. 27995; Found guilty of professional misconduct; Penalty: \$500 fine, probation 4 years.

Kathleen Jean Baldino; Registered Professional Nurse; Wappingers Falls, NY 12590-4705; Lic. No. 564008; Cal. No. 28080; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Barbara Varvara; Licensed Practical Nurse; North Babylon, NY 11704; Lic. No. 270236; Cal. No. 28130; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

Jenifer Helene Laymon; Licensed Practical Nurse, Registered Professional Nurse; Wurtsboro, NY 12790; Lic. Nos. 249474, 524425; Cal. Nos. 28175, 28176; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 24 months probation to commence upon return to practice.

Tammy M. Palumbo a/k/a Tammy Palumbo-Hairston; Licensed Practical Nurse, Registered Professional Nurse; New Rochelle, NY 10801; Lic. Nos. 155900, 355999; Cal. Nos. 28177, 28178; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for a minimum of 1 month and until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation.

Darryl Amos Mackey; Licensed Practical Nurse, Registered Professional Nurse; Rochester, NY 14606; Lic. Nos. 086870, 432041; Cal. Nos. 28187, 28180; 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, \$1,000 fine payable within 6 months.

Jennie Biro; Licensed Practical Nurse; Port Leyden, NY 13433; Lic. No. 302579; Cal. No. 28189; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Laura Ann Critelli; Licensed Practical Nurse; New York Mills, NY 13417; Lic. No. 293072; Cal. No. 28199; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kimberly J. Fay; Licensed Practical Nurse; Cheektowaga, NY 14225-2009; Lic. No. 295789; Cal. No. 28205; 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.

Julia Margaret Lecomte; Registered Professional Nurse; Pleasant Valley, NY 12569; Lic. No. 336533; Cal. No. 28210; 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, \$500 fine payable within 30 days.

Donna Eaton; Registered Professional Nurse; Lake George, NY 12845; Lic. No. 437343; Cal. No. 28213; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 1 year probation to commence upon return to practice.

Elizabeth C. Ellis; Registered Professional Nurse; Cherry Valley, NY 13320; Lic. No. 599534; Cal. No. 28222; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lauren J. Havens a/k/a Lauren Jo Zoli; Registered Professional Nurse, Nurse Practitioner (Family Health); Manlius, NY 13104; Lic. No. 543839, Cert. No. 334767; Cal. Nos. 28257, 28258; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Teresa A. Kron; Licensed Practical Nurse; Lockport, NY 14094-9531; Lic. No. 284847; Cal. No. 28267; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Laurie Ann Sanders a/k/a Laurie Sanders; Licensed Practical Nurse; Harrisville, NY 13648, Utica, NY 13503; Lic. No. 288994; Cal. No. 28276; Found guilty of professional misconduct; Penalty: 3 year suspension, execution of last 33 months of suspension stayed, probation 3 years to commence subsequent to termination of actual suspension and upon actual return to practice.

Tiffany Caroline Malossini; Licensed Practical Nurse; Syracuse, NY 13208; Lic. No. 313785; Cal. No. 28278; Found guilty of professional misconduct; Penalty: 1 year suspension, execution of suspension stayed, probation 3 years.

Andrew Jason White; Licensed Practical Nurse, Registered Professional Nurse; Akwesasne, NY 13655; Lic. Nos. 256516, 510017; Cal Nos. 28293, 28292; 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.

## **Pharmacy**

Stephen Michael Cappelli; Pharmacist; Oriskany, NY 13424; Lic. No. 049039; Cal. No. 28223; 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.

## **Public Accountancy**

Alan J. Dlugash; Certified Public Accountant; New York, NY 10017; Lic. No. 030771; Cal. No. 27415; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation, \$500 fine.

Solomon E. Ballard; Certified Public Accountant; Brooklyn, NY 11207-9011; Lic. No. 050930; Cal. No. 27533; Application for consent order granted; Penalty agreed upon: Partial actual suspension of not less than 1 year in certain area until successful completion of course of retraining in said certain area, 24 months probation, \$5,000 fine.

## **Social Work**

Ruth M. Grill; Licensed Clinical Social Worker; Hastings-on-Hudson, NY 10706-3202; Lic. No. 018009; Cal. No. 28133; Application for consent order granted; Penalty agreed upon: Partial actual suspension for not less than 2 years in certain areas until successful completion of course of retraining in said certain areas, 5 years probation.

Andrew David Loeb; Licensed Clinical Social Worker; East Rochester, NY 14445-1101; Lic. No. 073518; Cal. No. 28185; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jennifer Lynn Cole; Licensed Master Social Worker; Schenectady, NY 12306; Lic. No. 088322; Cal. No. 28270; Application for consent order granted; Penalty agreed upon: 9 month actual suspension, 15 month stayed suspension, 2 years probation.

## **III. RESTORATIONS**

The Board of Regents voted on November 17, 2015 to deny the application for restoration of the pharmacist license of Robert A. Duca, Roslyn Heights, NY. Mr. Duca's license was originally surrendered July 28, 2008.

The Board of Regents voted on November 17, 2015 to deny the application for restoration of the physician license of Martin Ehrenberg, Jerusalem, Israel. Dr. Ehrenberg's license was originally surrendered December 12, 2007.

The Board of Regents voted on November 17, 2015 to stay the execution of the order of revocation of the physician license of Malcolm Edgar Scoon, Upper Marlboro, MD, to place him on probation for no less than one year under specified terms and conditions,

and upon successful completion of probation, to fully restore his license. Dr. Scoon's license was originally revoked November 14, 1998.

The Board of Regents voted on November 17, 2015 to grant the application for reconsideration of the Board of Regents' determination of March 20, 2012 and the resulting Vote and Order dated May 10, 2012, regarding the petition of Hank Ross for restoration of his license to practice as a physician in the State of New York; and that the recommendation of the Committee on the Professions for a probationary period of three years be accepted. Dr. Ross' license was originally revoked August 11, 2006.

**engage** ny

Our Students. Their Moment.

# Ensuring Equal Educational Opportunities for English Language Learners

## Blueprint for English Language Learner Success and Amended Commissioner's Regulations Part 154

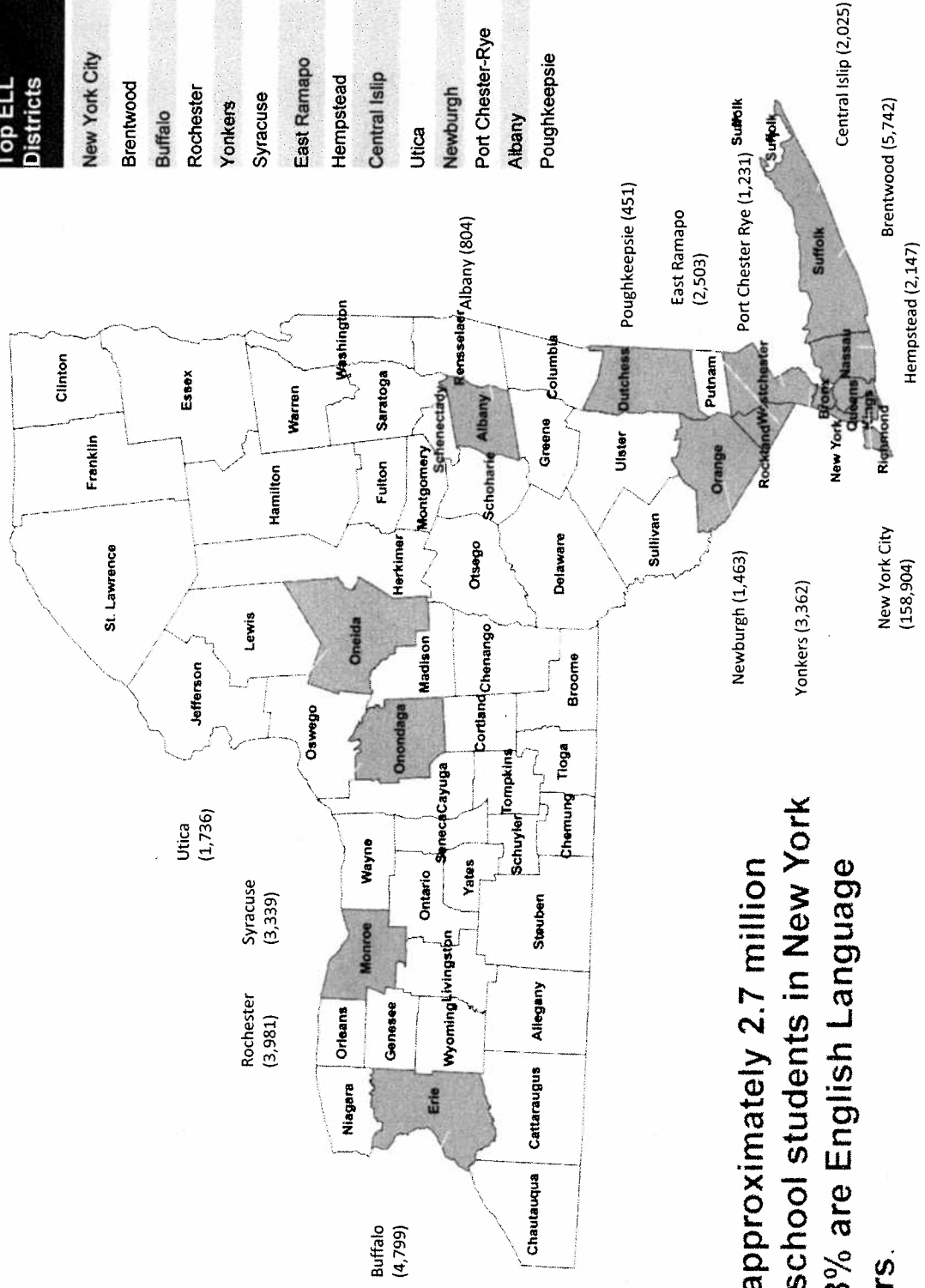
*Adopted 9/15/2014*



**ATTACHMENT I**

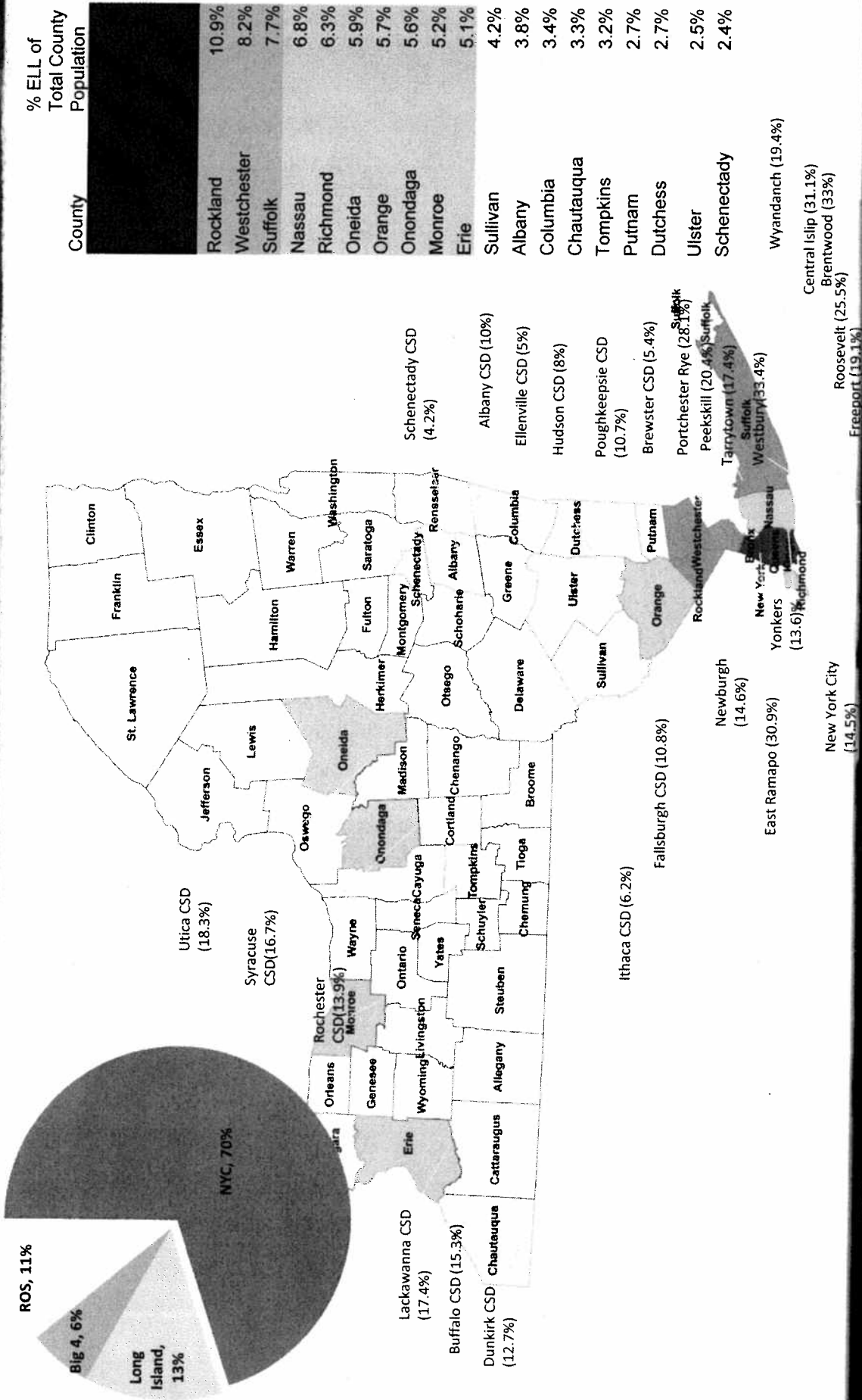
# Number of ELLs by County and District 2013-2014

Top ELL Districts	# of ELLs
New York City	158,904
Brentwood	5,742
Buffalo	4,799
Rochester	3,981
Yonkers	3,362
Syracuse	3,339
East Ramapo	2,503
Hempstead	2,147
Central Islip	2,025
Utica	1,736
Newburgh	1,463
Port Chester-Rye	1,231
Albany	804
Poughkeepsie	451



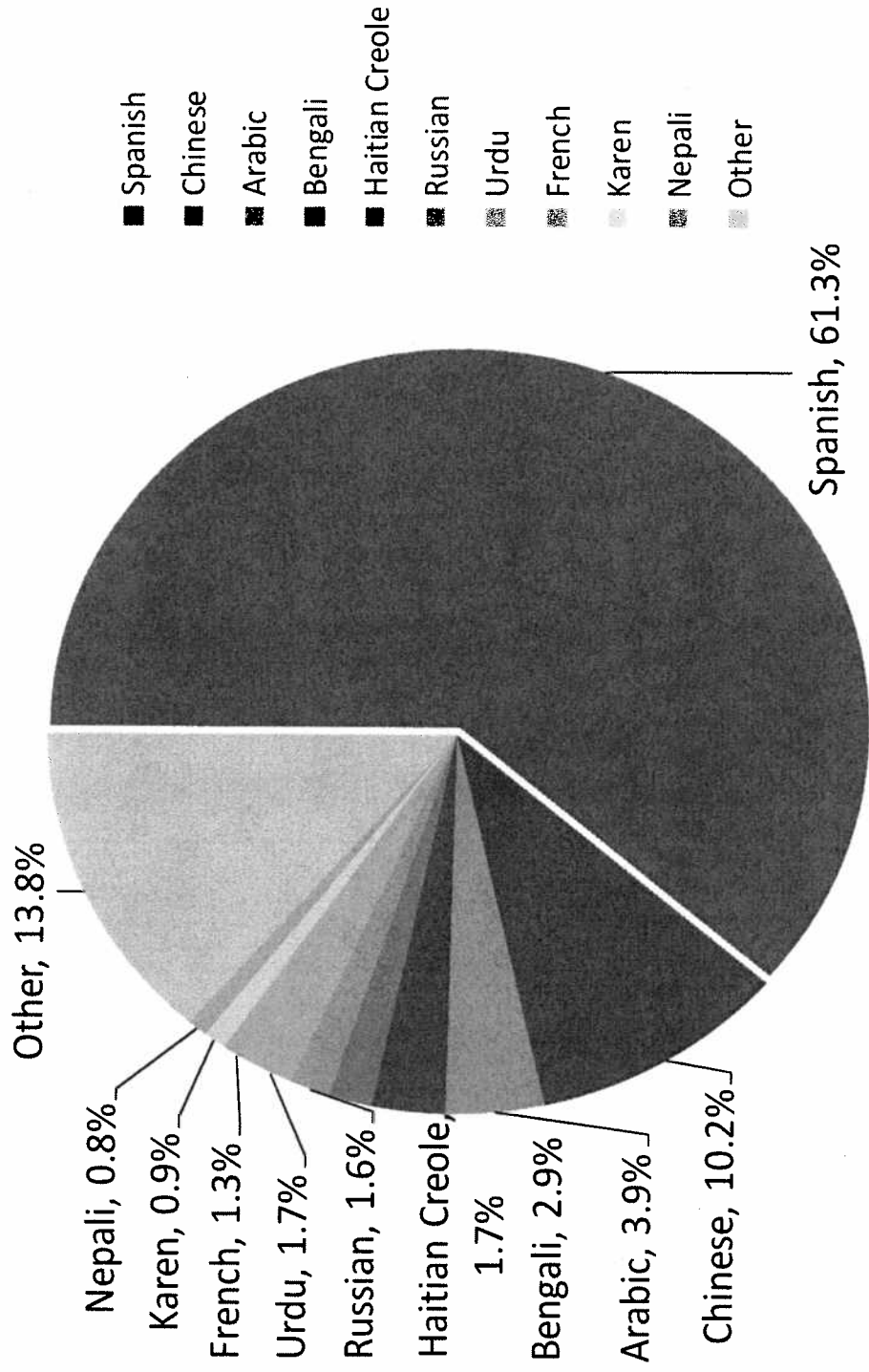
Of the approximately 2.7 million public school students in New York State, 8% are English Language Learners.

# Percentage of ELLs as a share of Total Student Population by County and District 2013-2014



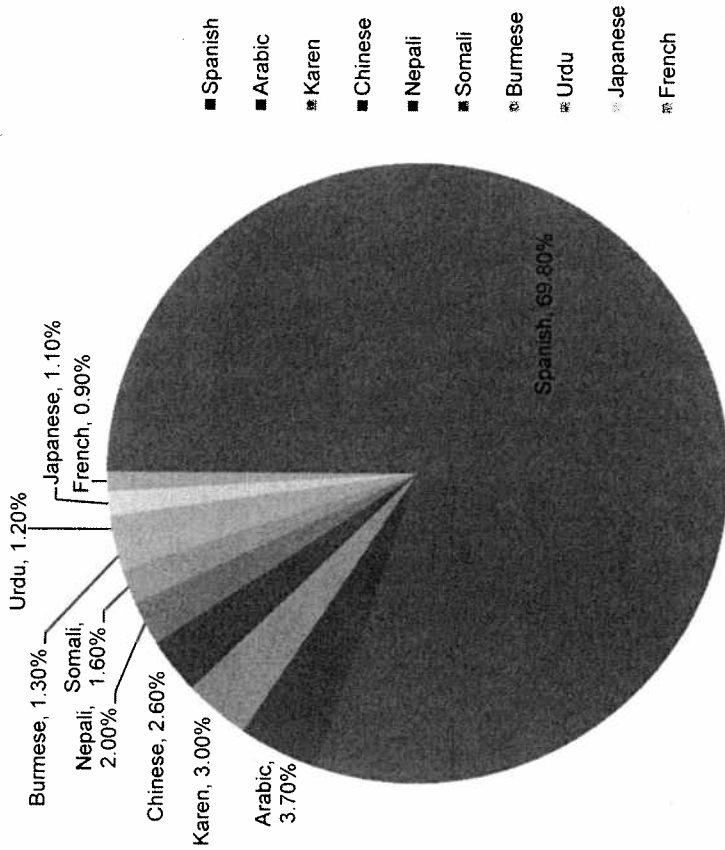
# Linguistic and Cultural Diversity

Top 10 ELL Home Languages 2013-14 SY:

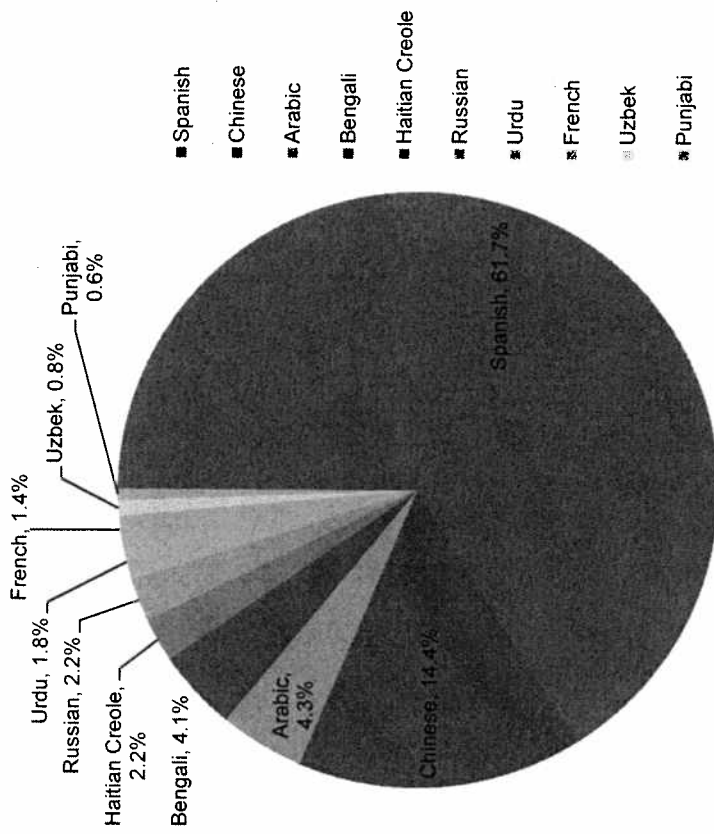


# Linguistic and Cultural Diversity 2013-2014

Rest of State Top 10 languages



NYC Top 10 languages



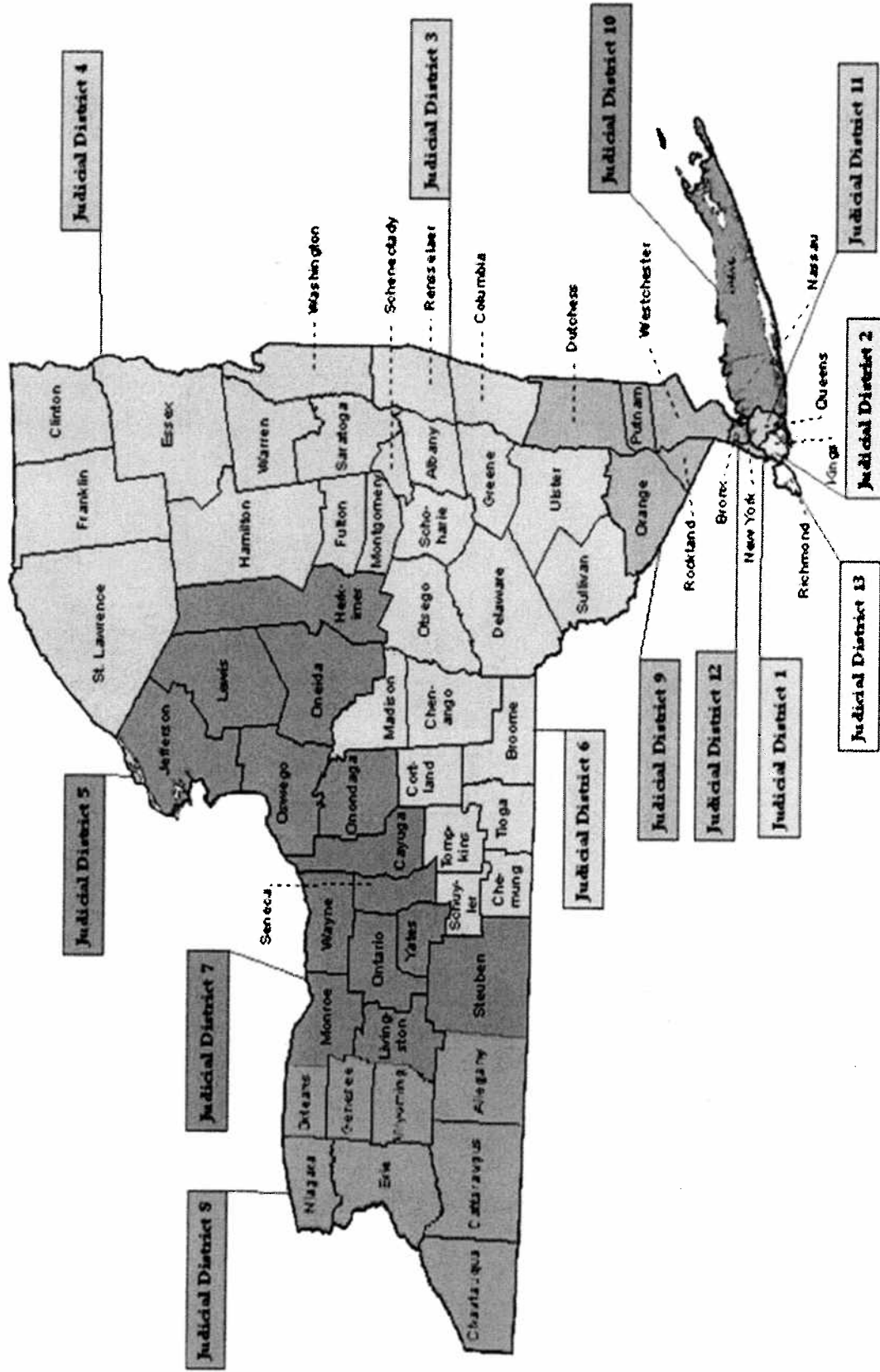
Linguistically diverse state with over 200 languages spoken by our students.



# ELLs Subgroups

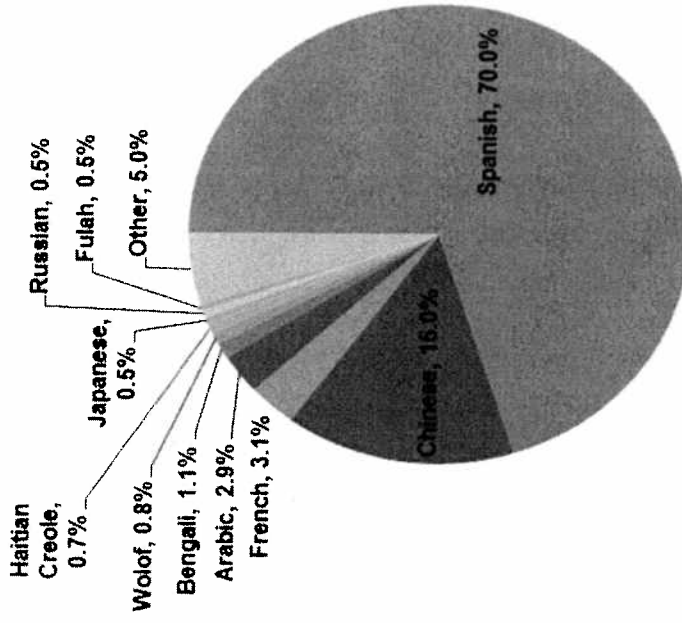
<b>Newcomers</b>	Students who have been in our schools for three years or less and are English Language Learners. ELLs in our schools one year or less are exempt from the ELA.	63.3%
<b>Developing ELLs</b>	Students who have received ELL services for 4 to 6 years.	24.9%
<b>Long-term ELLs</b>	Students who have completed at least six years of ELL services in a New York State school and continue to require ELL services.	11.7%
<b>ELL Students with Disabilities</b>	ELLs served by an Individualized Education Plan (IEP). An IEP team determines a student's eligibility for special education services and the language in which special education services are delivered.	21.9%
<b>Students with Inconsistent/Interrupted Formal Education</b>	ELLs who have attended schools in the U.S. for less than twelve months and who, upon initial enrollment in schools are two or more years below grade level in literacy in their home language and/or two or more years below grade level in math due to inconsistent or interrupted schooling prior to arrival in the U.S.	8.7%
<b>Former ELLs</b>	Students that have reached proficiency on a test of English language skills and no longer require ELL services.	8.4%

# New York State Judicial Districts



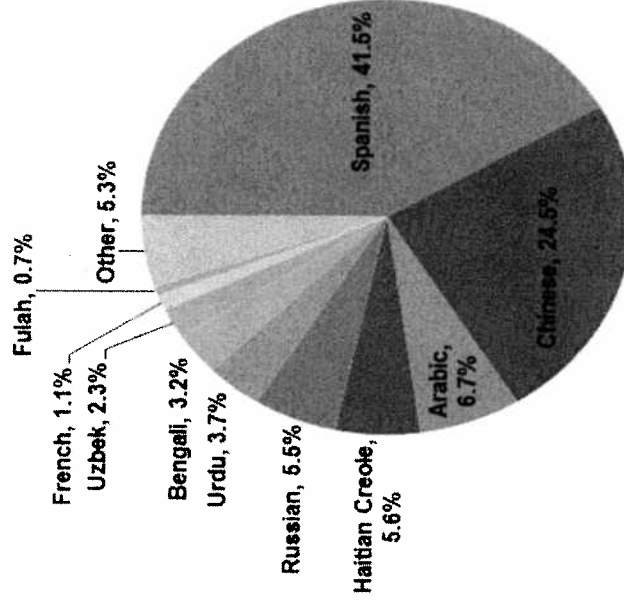
# 2013-14 ELL Demographics

## 1st Judicial District



Newcomers:	13635	58.3%
Developing ELLs:	6160	26.3%
LTE:	3589	15.3%
ELLs with an IEP:	5626	24.1%
SIFE	2685	11.5%

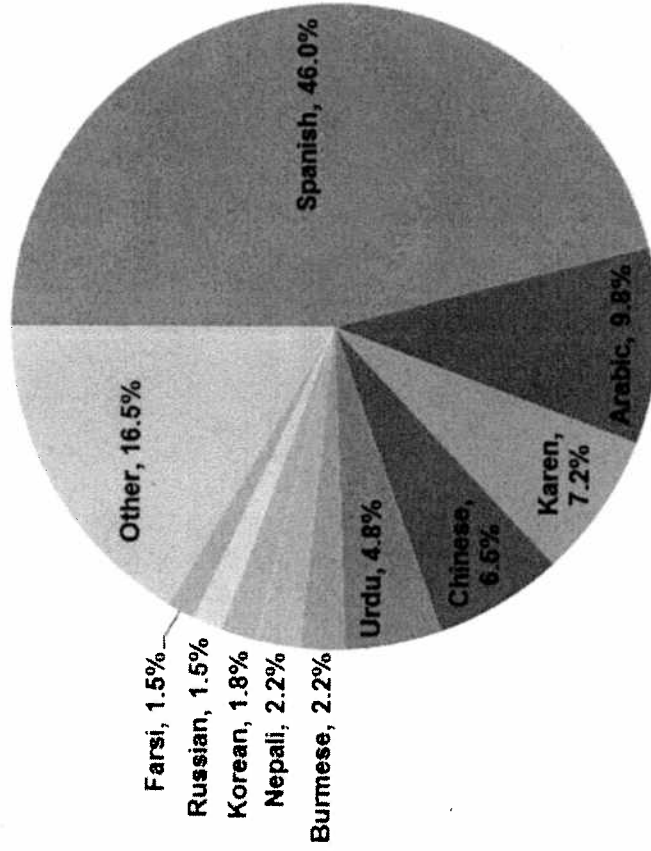
## 2nd Judicial District



Newcomers:	29257	64.0%
Developing ELLs:	11598	25.4%
LTE:	4873	10.7%
ELLs with an IEP:	10008	21.9%
SIFE	4113	9.0%

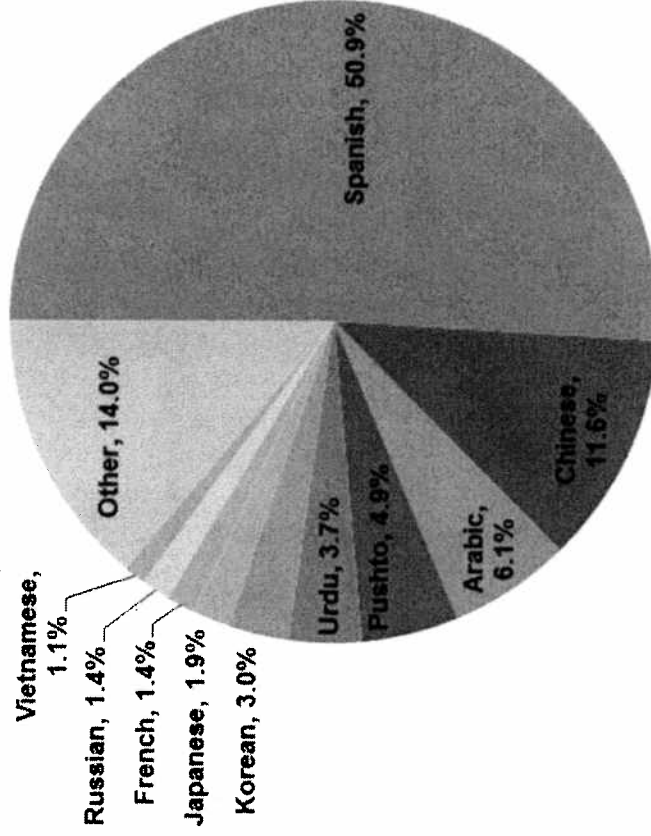
# 2013-14 ELL Demographics

## 3rd Judicial District



Newcomers:	2291	75.6%
Developing ELLs:	600	19.8%
LTE:	140	4.6%
ELLs with an IEP:	451	14.9%
SIFE	156	5.1%

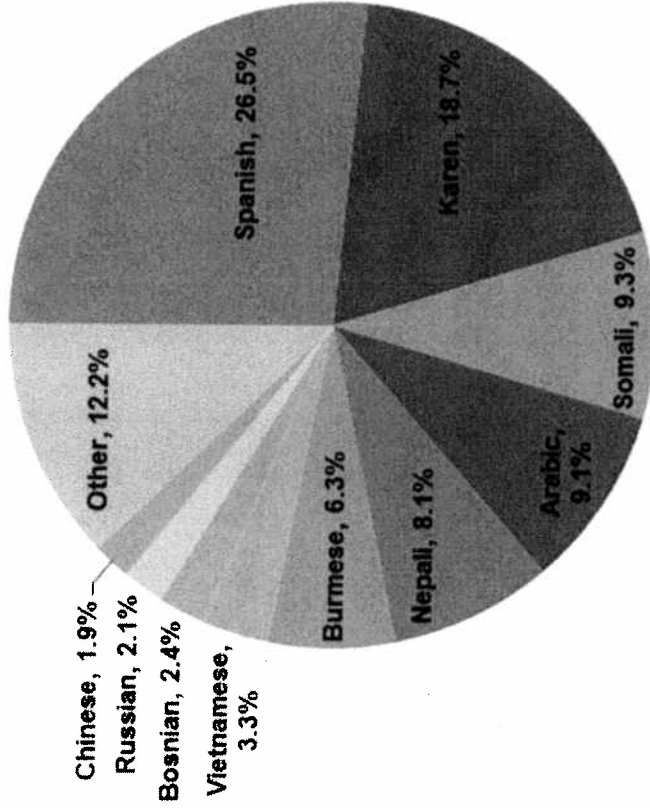
## 4th Judicial District



Newcomers:	795	80.5%
Developing ELLs:	128	13.0%
LTE:	65	6.6%
ELLs with an IEP:	184	18.6%
SIFE	27	2.7%

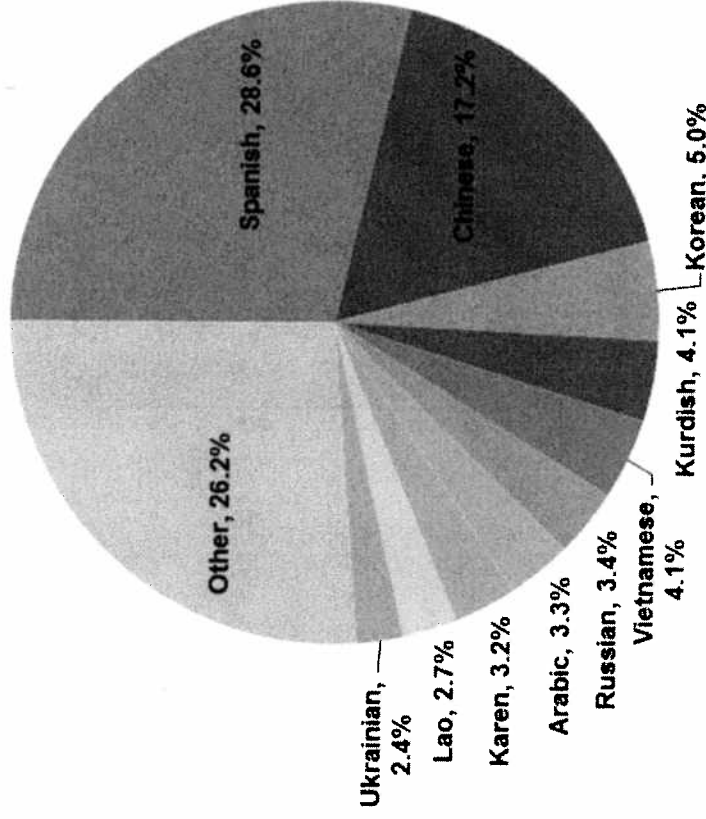
# 2013-14 ELL Demographics

## 5th Judicial District



Newcomers:	3876	62.6%
Developing ELLs:	1620	26.2%
LTE:	691	11.2%
ELLs with an IEP:	786	12.7%
SIFE	527	8.5%

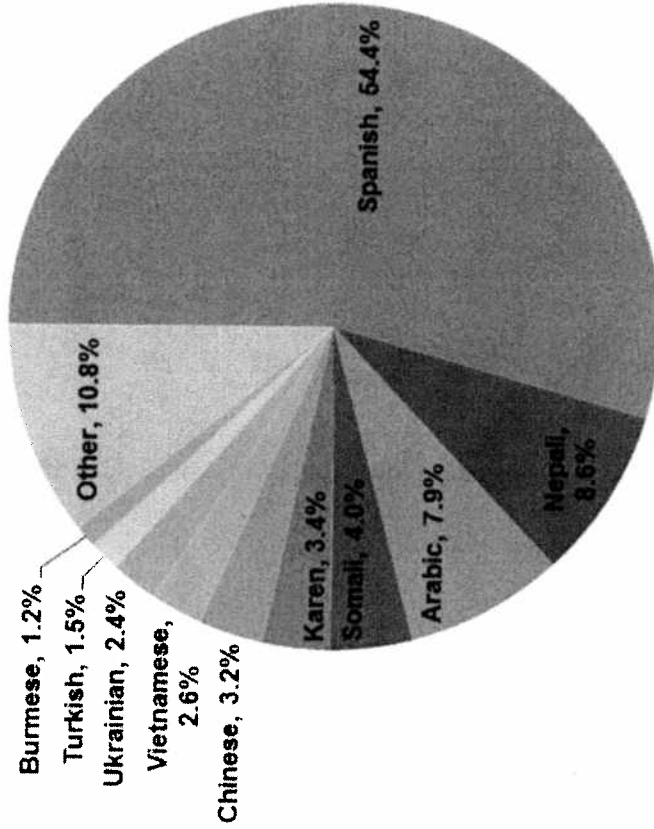
## 6th Judicial District



Newcomers:	706	70.8%
Developing ELLs:	215	21.6%
LTE:	76	7.6%
ELLs with an IEP:	112	11.2%
SIFE	27	2.7%

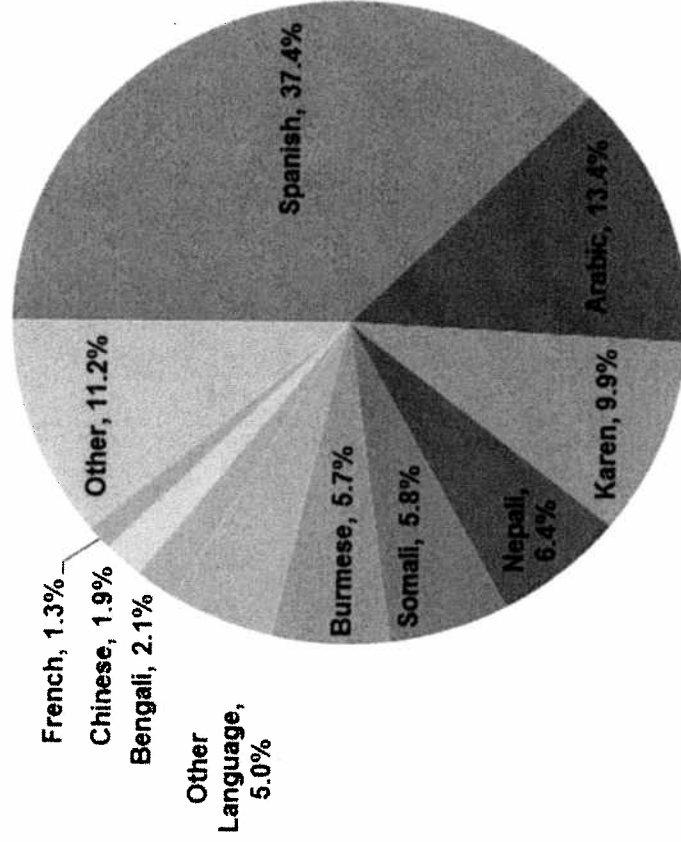
# 2013-14 ELL Demographics

## 7th Judicial District



Newcomers:	3781	60.7%
Developing ELLs:	1534	24.6%
LTE:	913	14.7%
ELLs with an IEP:	1212	19.5%
SIFE	117	1.9%

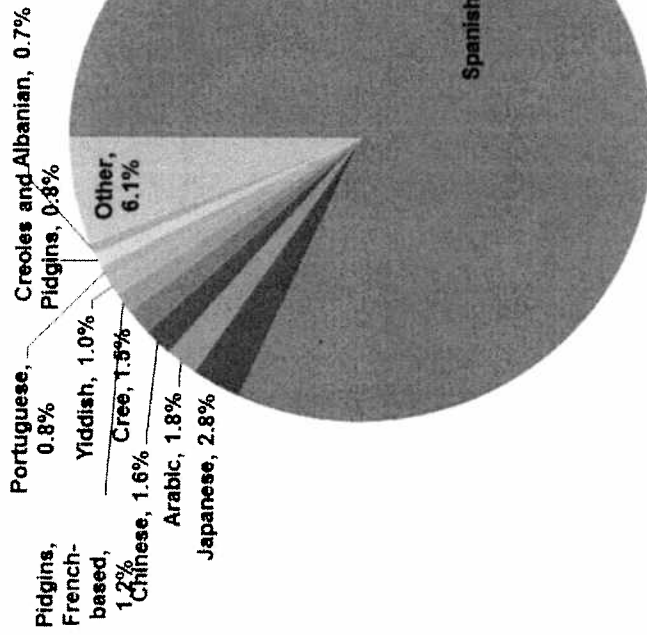
## 8th Judicial District



Newcomers:	4843	65.1%
Developing ELLs:	1843	24.8%
LTE:	753	10.1%
ELLs with an IEP:	1234	16.6%
SIFE	753	10.1%

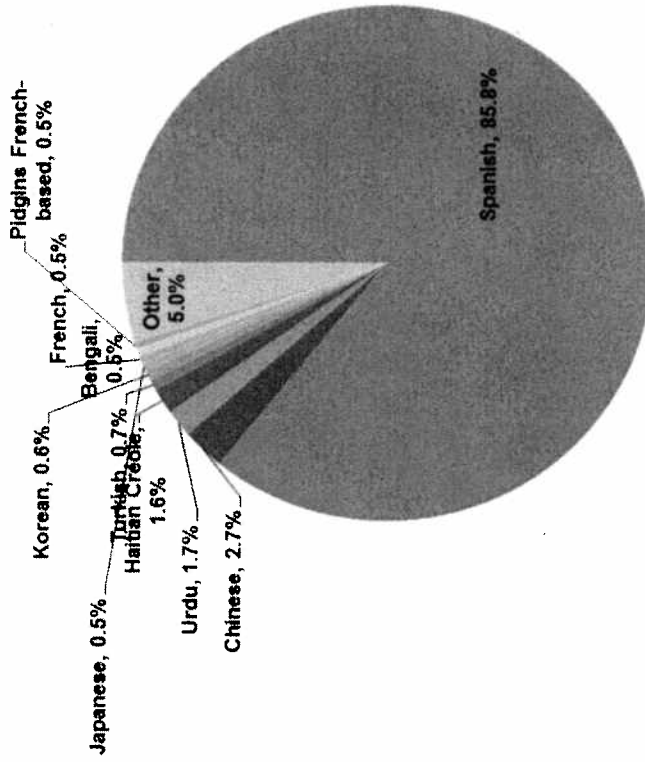
# 2013-14 ELL Demographics

## 9th Judicial District



Newcomers:	13546	64.3%
Developing ELLs:	5197	24.7%
LTE:	2336	11.1%
ELLs with an IEP:	4224	20.0%
SIFE	240	1.1%

## 10th Judicial District

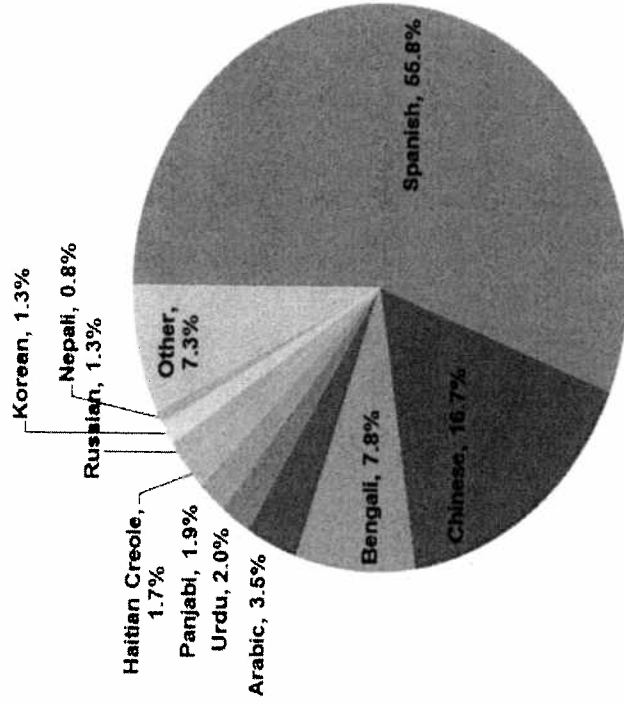


Newcomers:	21844	67.9%
Developing ELLs:	7557	23.5%
LTE:	2772	8.6%
ELLs with an IEP:	5533	17.2%
SIFE	586	1.8%



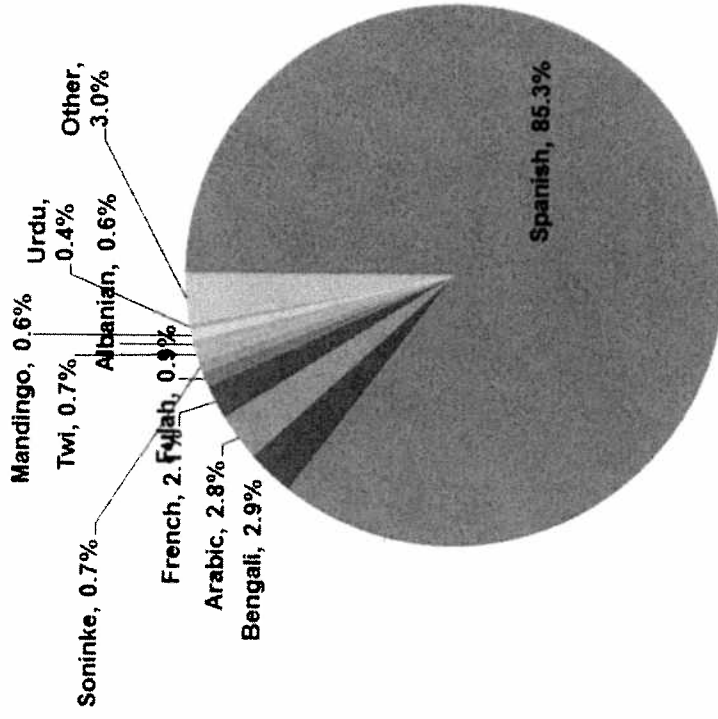
# 2013-14 ELL Demographics

## 11th Judicial District



Newcomers:	30220	65.0%
Developing ELLs:	11601	25.0%
LTE:	4643	10.0%
ELLs with an IEP:	10086	21.7%
SIFE	2534	5.5%

## 12th Judicial District

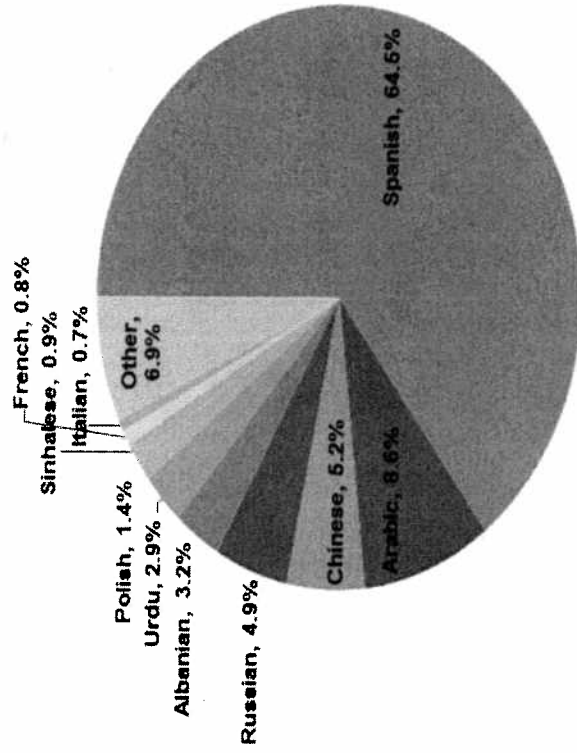


Newcomers:	25462	58.8%
Developing ELLs:	11021	25.4%
LTE:	6849	15.8%
ELLs with an IEP:	11955	27.6%
SIFE	5064	11.7%



# 2013-14 ELL Demographics

## 13th Judicial District



Newcomers:	2152	58.5%
Developing ELLs:	976	26.5%
LTE:	550	15.0%
ELLs with an IEP:	1419	38.6%
SIFE	128	3.5%

# Blueprint for ELL Success

## The Blueprint is composed of the following 8 principles:

1. All teachers are teachers of ELLs and need to plan accordingly.
2. All schools boards and districts/school leaders are responsible for ensuring that the academic, linguistic, social, and emotional needs of ELLs are addressed.
3. Districts and schools engage all ELLs in instruction that is grade-appropriate, academically rigorous, and aligned with the New York State Prekindergarten Foundation for the Common Core and P-12 Common Core Learning Standards.
4. Districts and schools recognize that bilingualism and biliteracy are assets and provide opportunities for all students to earn a Seal of Biliteracy upon obtaining a high school diploma.

# Blueprint for ELL Success

## 8 Principles, continued:

5. Districts and schools value all parents and families of ELLs as partners in education and effectively involve them in the education of their children.
6. District and school communities leverage the expertise of bilingual, ENL, and Language Other Than English (LOTE) teachers and support personnel while increasing their professional capacities.
7. Districts and school communities leverage ELLs' home languages, cultural assets, and prior knowledge.
8. Districts and schools use diagnostic tools and formative assessment practices in order to monitor ELLs' content knowledge as well as new and home language development to inform instruction.

# AREAS OF CR PART 154 REGULATION

ELL Identification	Students with Disabilities
Parent Notification and Information	ELL Exit Criteria
Retention of Records	Intervention Support for ELLs
ELL Program Placements	Former ELL Services
Program Requirements	Graduation Requirements
Provision of Programs	Professional Development Certification
Grade Span	School District Planning and Reporting Requirements
Program Continuity	

## IMPLEMENTATION

- Resources for Parents and Guardians of ELLs
- Scaffolding Instruction for English Language Learners (ELLs)
- Clinically Rich Intensive Teacher Institute
- The NYS Seal of Biliteracy
- The Multilingual Literacy Diagnostic (MLD)

# IMPLEMENTATION

- Regional Bilingual Education Resource Networks (RBERNs)
- Districts implementation  
Mineola School District in Long Island has already made great strides in terms of implementation:

[https://d2d6mu5qcvgbk5.cloudfront.net/lectures/video/uploadedfile/4266/high/4pduqhvn8k-high\\_CCNYP+-+STANFORD+-+VIDEO+3+EDIT.mp4](https://d2d6mu5qcvgbk5.cloudfront.net/lectures/video/uploadedfile/4266/high/4pduqhvn8k-high_CCNYP+-+STANFORD+-+VIDEO+3+EDIT.mp4)

# Resources for Parents and Guardians of ELLs

The following resources have been or will be translated in up to 25 languages:

- [Parent Orientation Video: ELL Programs in New York State](#)
- [Pen-Pal](#)
- [A Guide for Parents of ELLs in New York State](#)
- [NYSITELL Parent Information Brochure](#)
- [NYSESLAT Parent Information Brochure](#)
- [ELL Parent Hotline](#)
- [Parent Bill of Rights](#)
- [Parent Notification Letters](#)
- [Roadmap to College](#)



New York State Education Department  
Office of Bilingual Education and World Languages



## Scaffolding Instruction for English Language Learners (ELLs)

The American Institutes for Research under the leadership of Dr. Diane August created:

- Resource guides and supportive materials for ELA and Mathematics available on EngageNY
- ELL Prototypes (modules) - research-based scaffolds and supports for ELLs

Math modules available in 5 languages

Spanish, Chinese (traditional and simplified), Haitian Creole, Arabic, and Bengali



# Clinically Rich Intensive Teacher Institute

Offers teachers the opportunity to take classes in:

- English as a Second Language certification
- Bilingual Education extension

Funding for teachers up to \$300 per credit to complete the program.

Participating  
Colleges/Universities

- CUNY Hunter
- Molloy College
- St. John's University
- Teachers College
- Touro College
- CUNY Lehman College
- SUNY Binghamton
- SUNY New Paltz
- SUNY Oneonta (online)
- SUNY Oswego

# The NYS Seal of Biliteracy

**Purpose:** To recognize high school graduates who have attained a high level of proficiency in listening, speaking, reading, and writing in one or more languages in addition to English.

## The Seal of Biliteracy Pilot Program

- 9 districts/schools participated throughout New York State
- Over 230 students completed the pilot and demonstrated biliteracy in English and 8 World Languages through varying criteria set by individual pilot participants
- Best practices were reviewed and observed

## Criteria proposed for the NYS Seal of Biliteracy

- Minimum requirements + a point system for earning the Seal
- Earn points through assessments, coursework, projects, essays, portfolios and transcripts from study abroad
- Rigorous yet flexible and is fair to ALL students, including ELLs
- Is suitable for students that speak low-incidence languages

# The Multilingual Literacy Diagnostic (MLD)

- The MLD is a statewide diagnostic tool created to determine the students' literacy levels in their home language in order to identify the gap and provide appropriate instruction for SIFE students.
- The tool is currently available in 9 different languages and may be available in more languages in the future.

**Current languages available are:** Bangla, Chinese, English, Haitian Creole, Spanish, Arabic, Urdu, Sgaw, Karen and Maay Maay

# Foundational Language and Literacy Curriculum

- The curriculum is designed to meet the needs of low-literacy newcomer SIFE students in secondary (middle and high) school.
- The curriculum offers a rigorous and accelerated framework for providing students with the necessary content, language and literacy skills essential for academic success.
- The Foundational Language and Literacy (FLL) curriculum draws from CCSS Foundational Skills and focuses on the development of basic oral English language as well as reading and writing skills.
- [http://nysed.vpg.com/nysed\\_CC\\_videos/nysed\\_int1\\_lp\\_cls\\_sife\\_1\\_v6.mov](http://nysed.vpg.com/nysed_CC_videos/nysed_int1_lp_cls_sife_1_v6.mov)

## **Regional Bilingual Education Resource Networks (RBERNs)**

### **NYSED operates 7 regional RBERNs and one Statewide Language RBERN across NYS**

- As a network, the RBERNs work in partnership with the Office of Bilingual Education and World Languages (OBEWL) to create resources and to offer Professional Development opportunities to all districts and schools on topics including:
  - Co-teaching and collaboration
  - Developing programs for SIFE
  - Understanding and implementation English Language Proficiency (ELP) Standards and Academic Content Standards
  - Alignment of the Curriculum in Language Instruction Educational Programs to ELP Standards
  - Implementation of CR Part 154

## OFFICE OF BILINGUAL EDUCATION AND WORLD LANGUAGES

<http://www.p12.nysed.gov/biling/bilinged/>

[OBFLS@NYSED.GOV](mailto:OBFLS@NYSED.GOV)

**ELL Parent Hotline at 1-800-469-8224**

[nysparenthotline@nyu.edu](mailto:nysparenthotline@nyu.edu)

## REGIONAL BILINGUAL EDUCATION RESOURCE NETWORKS

<http://www.p12.nysed.gov/biling/bilinged/betac.html>

