



**TO:** The Honorable Members of the Board of Regents

**FROM:** Christopher J. Halpin, Secretary

**SUBJECT:** Summary of the December 2023 Meeting

**DATE:** December 28, 2023

**AUTHORIZATION(S):**

**SUMMARY**

**Issue for Decision**

Should the Board of Regents approve the Summary of the December 2023 Meeting of the Board of Regents?

**Reason(s) for Consideration**

Not applicable.

**Proposed Handling**

This issue will come before the Full Board for action at its January 2024 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.

**Background Information**

Not applicable.

**Related Regent's Items**

Not Applicable.

**Recommendation**

It is recommended that the Board of Regents take the following action:

VOTED: That the Summary of the December 2023 Meeting of the Board of Regents of The University of the State of New York be approved.

**Timetable for Implementation**

Effective January 9, 2024.



**SUMMARY OF THE DECEMBER 2023 MEETING  
OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF THE STATE OF NEW YORK**

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

***December 11 and 12, 2023***

***Christopher J. Halpin, 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 in Albany on Monday, December 11<sup>th</sup> at 9:00 a.m. in the State Education Building pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, December 11<sup>th</sup> at 9:00 a.m.**

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

Lester W. Young, Jr., *Chancellor*  
Roger Tilles  
Christine D. Cea  
Wade S. Norwood  
James E. Cottrell  
Judith Chin  
Luis O. Reyes  
Frances G. Wills  
Aramina Vega Ferrer  
Shino Tanikawa  
Roger P. Catania  
Adrian I. Hale

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, Jeff Matteson, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Vice Chancellor Josephine Victoria Finn, Regents Catherine Collins, and Susan W. Mittler were absent and excused.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Tuesday, December 12<sup>th</sup> at 10:15 am to discuss litigation matters.

<b>Motion by:</b>	Regent Roger Tilles
<b>Seconded by:</b>	Regent James E. Cottrell
<b>Action:</b>	Motion passed unanimously. Regent Norwood was absent for the vote.

**2024-2025 Regents State Aid Proposal**  
**BR (A) 4 – REVISED (12/10/23)**

Regent Wills, Regent Catania, Deputy Commissioner and Chief Financial Officer Christina Coughlin, Director of the Office of Governmental Relations Office, Jennifer Trowbridge, and Director of the Office of Education Finance, Sean Giambattista facilitated a discussion on the 2024 Budget and Legislative Initiatives (Attachment I).

**MOVED**, that the Board of Regents adopt the 2024-25 State Aid and Budget Proposal.

**Motion by:** Regent Aramina Vega Ferrer  
**Seconded by:** Regent Shino Tanikawa  
**Action:** Motion passed unanimously.

Chancellor adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, December 12 at 10:40 a.m.**

**Board Members in Attendance:**

Lester W. Young, Jr., *Chancellor*  
Roger Tilles  
Christine D. Cea  
Wade S. Norwood  
James E. Cottrell  
Judith Chin  
Luis O. Reyes  
Frances G. Wills  
Aramina Vega Ferrer  
Shino Tanikawa  
Roger P. Catania  
Adrian I. Hale

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, Jeff Matteson, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Vice Chancellor Josephine Victoria Finn, Regents Catherine Collins, and Susan W. Mittler were absent and excused.

**ACTION ITEMS**

**Charter Applications  
BR (A) 1**

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

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

**MOVED**, that the Board of Regents approve the recommendation contained in the supplemental charter action summary. (See Appendix I).

**Summary of the November 2023 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the November 2023 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Frances G. Wills  
**Seconded by:** Regent Roger P. Catania  
**Action:** Motion passed unanimously.

**State Education Department November 2023 Fiscal Report**

### **BR (A) 3**

**MOVED**, that the Board of Regents approve the State Education Department November 2023 Fiscal Report as presented.

**Motion by:** Regent Aramina Vega Ferrer  
**Seconded by:** Regent Adrian I. Hale  
**Action:** Motion passed unanimously.

### **PROGRAM AREA CONSENT ITEMS**

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

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

**MOVED**, that Mariah Sepulveda be appointed for a 1-year unexpired term beginning January 1, 2024, and ending December 31, 2024.

**MOVED**, that Lisa Ackerman be appointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Michele Juda be appointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Leanna Leroy be appointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Susan Ruff be appointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Jennifer Shippee be appointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Isabelle Alexander-Klaboe be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Brodie Enoch be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Jacqueline John be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Marcus Johnson be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Naomi Jones be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Louis Paniccioli be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Joseph Tedesco be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Yessenia Torres be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

**MOVED**, that Stephanie Woodward be reappointed for a three-year term beginning January 1, 2024, and ending December 31, 2026.

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

**MOVED**, that Marilee Boylan, Meesha Johnson, Kenneth Klassert, Mary Lafrance, Tonia Weichmann, and Stephanie Woodward be appointed to a three-year term beginning January 1, 2024, and ending December 31, 2026.

## **Cultural Education**

### **Appointments to Regents Advisory Council on Libraries BR (CA) 12**

**MOVED**, that the Board of Regents approve the appointments recommended by the Commissioner.

The Commissioner recommends the following appointments to the Regents Advisory Council on Libraries for terms effective December 1, 2023:

- Justin Cree, Director, Akwesasne Cultural Center
- Kate Hammill, Director, Wayne-Finger Lakes BOCES Library System
- Dr. Corinthia Price, Librarian, The Green Vale School

### **Appointments to Regents Advisory Council on Museums BR (CA) 13**

**MOVED**, that the Board of Regents approve the appointments recommended by the Commissioner.

- Erika Floreska, President of the Long Island Children's Museum
- Steve Dubnik, President and CEO of the Strong Museum of Play
- Rocky Bucano, Executive Director of the National Hip Hop Museum
- Heather Arnet, Executive Director and CEO of the Heckscher Museum
- Rebecca M. McLain, Executive Director of the Oneida County History Center

The Commissioner also recommends the following appointment renewals:



- Jan Ramirez, Chief Curator of the National September 11 Memorial Museum
- Joe Lin-Hill, Deputy Director of the Albright-Knox Art Gallery
- Gretchen Sorin, Director and Distinguished Professor at the Cooperstown Graduate Program for Museum Studies

**Higher Education**

**Extension of Provisional Degree-Granting Authority: New York Film Academy  
BR (CA) 3**

**MOVED**, that the Board of Regents extend New York Film Academy’s provisional authorization to confer the Bachelor of Fine Arts (B.F.A.) degree through December 31, 2028.

**Office of Counsel**

**2024 Regulatory Agenda  
BR (CA) 4**

**MOVED**, that the 2024 Regulatory Agenda for the State Education Department be approved, as submitted.

**P-12 Education**

**Proposed Amendment to Sections 114.3 and 114.4 of the Regulations of the Commissioner of Education Relating to School Food Service Programs and Bidding Exemptions for Purchasing New York State Food and Milk  
BR (CA) 5**

**MOVED**, that sections 114.3 and 114.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 27, 2023.

**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) 6**

**MOVED**, that the Board of Regents approve the proposed (Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions.

**Report of the Committee on the Professions Regarding Licensing Petitions and Degree Conferrals  
BR (CA) 7**

**MOVED**, that the Regents approve the recommendations of the Committee on the Professions regarding the licensing petition(s) and degree conferrals.

**Proposed Addition of Section 29.20 to the Rules of the Board of Regents and Repeal of Sections 52.44 and 52.45, Repeal and Addition of New Sections 79-17.1, 79-17.2, 79-18.1, 79-18.2, Amendment of Sections 79-17.3, 79-17.5, 79-18.3, and 79-18.5, and Addition of Sections 79-17.6 and 79-18.6 to the Regulations of the Commissioner of Education Relating to the Licensure of Applied Behavior Analysts and Certification of Applied Behavior Analyst Assistants  
BR (CA) 8**

**MOVED**, that section 29.20 of the Rules of the Board of Regents be added, sections 52.44 and 52.45 of the Regulations of the Commissioner of Education be repealed, sections 79-17.1, 79-17.2, 79-18.1, and 79-18.2 of the Regulations of the Commissioner of Education be repealed and new sections 79-17.1, 79-17.2, 79-18.1, and 79-18.2 of the Regulations of the Commissioner of Education be added, and sections 79-17.3, 79-17.5, 79-18.3, and 79-17.5 of the Regulations of the Commissioner of Education be amended and sections 79-17.6 and 79-18.6 of the Regulations of the Commissioner of Education be added, as submitted, effective December 27, 2023.

**Proposed Amendment of Section 52.12 of the Regulations of the Commissioner of Education Relating to the Requirements for Clinical Education and Simulation Experience in Nursing Education Programs  
BR (CA) 9**

**MOVED**, that section 52.12 of the Regulations of the Commissioner of Education be added, as submitted, effective January 15, 2024, as an emergency action, upon a finding that such action is necessary for the preservation of the public health and general welfare in order to timely implement the provisions of Chapter 134 of the Laws of 2023, which became effective November 11, 2023, and to ensure that the emergency action taken at the October 2023 meeting remains continuously in effect.

**Proposed Amendment of Subdivision (a) of Section 64.7 of the Regulations of the Commissioner of Education Relating to the Execution by Registered Professional Nurses of Non-Patient Specific Orders to Administer Immunizing Agents Against Respiratory Syncytial Virus  
BR (CA) 10**

**MOVED**, that subdivision (a) of section 64.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 15, 2024, as an emergency action, upon a finding that such action is necessary for the preservation of the public health and general welfare to immediately improve New Yorkers' access to Respiratory Syncytial Virus immunizations and to ensure the emergency action taken at the October 2023 meeting remains continuously in effect.

**Proposed Amendment of Section 66.5 to the Regulations of the Commissioner of Education Relating to Optometrist’s Certification to Use Therapeutic Drugs  
BR (CA) 11**

**MOVED**, that section 66.5 of the Regulations of the Commissioner of Education be added, as submitted, effective January 15, 2024, as an emergency action, upon a finding that such action is necessary for the preservation of the public health and general welfare in order to timely implement certain provisions of Chapter 506 of the Laws of 2021, which became effective October 25, 2023 and to ensure the emergency action taken at the October 2023 meeting remains continuously in effect.

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

**Motion by:** Regent Judith Chin  
**Seconded by:** Regent Christine D. Cea  
**Action:** Motion passed unanimously.

**STANDING COMMITTEE REPORTS**

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

**Adult Career and Continuing Education Services (ACCES) Committee Members:**  
Regent Cea, Chair, Regent Tilles, Regent Norwood, Regent Chin, Regent Collins, Regent Reyes, Regent Mittler, Regent Tanikawa, Regent Catania, and Regent Hale.

The ACCES Committee held its scheduled meeting on December 11, 2023. All members were present except Regent Catherine Collins and Regent Susan W. Mittler, who were excused. Chancellor Lester W. Young, Jr., Regent James E. Cottrell, Regent Frances G. Wills, and Regent Aramina Vega Ferrer also attended the meeting.

**MATTERS NOT REQUIRING BOARD ACTION**

**Proposed Amendment of Section 100.7 of the Regulations of the Commissioner of Education Relating to the Examination for a High School Equivalency Diploma [ACCES (D) 1]** - Department staff presented a proposed regulatory amendment to update provisions relating to the examination for the high school equivalency diploma.

Deputy Commissioner Ceylane Meyers-Ruff reviewed the items on the Consent Agenda.

**CULTURAL EDUCATION**

**Cultural Education Committee Members:**  
Regent Tilles, Co-Chair, Regent Ferrer, Co-Chair, Regent Cea, Regent Cottrell, Regent Collins, Regent Reyes, Regent Mittler, Regent Wills, Regent Tanikawa, Regent Catania, and Regent Hale

The Cultural Education Committee held its scheduled meeting on December 11, 2023. All committee members were present except Regent Catherine Collins and Regent Susan W. Mittler, who were excused. Chancellor Lester W. Young, Regent Wade S. Norwood, and Regent Judith Chin also attended the meeting.

## **MATTERS NOT REQUIRING BOARD ACTION**

**New York State Arts Education** – Department staff presented on the Department’s commitment to arts education including an overview of the arts education learning standards, a brief history and update on the programs of New York State Summer School of the Arts (NYSSSA), and examples of collaborative efforts in arts education across offices.

The presentation began with a discussion on arts education initiatives that have led to increased student participation and sustained engagement including the Individual Arts Assessment Pathway (IAAP) to graduation and the Learning Standards for the Arts. Presenters highlighted the Blue Ribbon Commission on Graduation recommendations of making arts education a strong component of graduation requirements and embedding fine and performing arts in curriculum.

Department staff then discussed the history and updates on the New York State Summer School of the Arts (NYSSSA). Participation in NYSSSA is an avenue for students to earn credit towards the IAAP. The NYSSSA program received \$1 million in General Fund appropriation in FY 2023-2024 and will utilize these funds to continue its scholarship program and re-institute a portion of its in-residence programs. With the \$1 million appropriation, students can apply for scholarships to attend summer arts programs in their own community. NYSSSA will also offer in-residence programs for Summer 2024. The Department is asking for \$2 million in the FY 2024-2025 budget request.

The presentation concluded with an overview of the collaborative efforts between the Office of Cultural Education and P-12 aimed to support students and teachers in arts education. Department staff gave examples of expanded learning opportunities offered by cultural institutions statewide.

The Cultural Education Committee then discussed how the arts inform and influence other subject areas. Chancellor Young encouraged Department staff to develop recommendations on strengthening the arts and increasing participation in arts education in school districts.

Finally, the Committee also reviewed Consent Agenda items.

## **HIGHER EDUCATION**

### **Regents Committee on Higher Education Members:**

Regent Collins, Chair, Regent Cea, Regent Norwood, Regent Cottrell, Regent Chin, Regent Reyes, Regent Mittler, Regent Wills, Regent Ferrer, Regent Tanikawa, and Regent Catania.

The Higher Education Committee held its scheduled meeting on December 11, 2023. All members were present except Regent Catherine Collins and Regent Susan W. Mittler who were excused. Chancellor Lester W. Young, Jr., chaired the meeting.

## **MATTERS NOT REQUIRING BOARD ACTION**

**Overview and update of the Professional Standards and Practices Board for Teaching** - Department staff presented an overview of the Professional Standards and Practices Board for Teaching (PSPB), including the Board's roles and responsibilities and the work undertaken during 2023.

Deputy Commissioner William Murphy reviewed the items on the Consent Agenda.

## **P-12 EDUCATION**

### **Regents Committee on P-12 Education:**

Vice Chancellor Finn, Co-Chair, Regent Chin, Co-Chair, Regent Tilles, Regent Cea, Regent Norwood, Regent Cottrell, Regent Wills, Regent Ferrer, Regent Tanikawa, Regent Catania, and Regent Hale.

The P-12 Education Committee held its scheduled meeting on December 11, 2023. All members were present except for Vice Chancellor Josephine V. Finn, who was excused. Chancellor Lester W. Young, Jr., and Regent Luis O. Reyes also attended the meeting but did not vote on the action items.

## **ACTION ITEMS**

**Proposed Amendment of Section 136.6 of the Regulations of the Commissioner of Education Relating to Written Informational Material for the Authorized Use of Epinephrine Auto-Injectors [P12 (A) 1]** - Department staff presented regulatory amendments to conform the Commissioner's regulations to Chapter 422 of the Laws of 2023, which requires that school districts, BOCES, county vocational education and extension boards, charter schools, and non-public elementary and secondary schools that are authorized to provide and maintain epinephrine auto-injectors on-site, pursuant to Education Law 921-a, must provide all teachers with written informational material created and approved by the Commissioner of Health, on the use of epinephrine auto-injectors.

The Committee recommends that the Board of Regents finds that section 136.6 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 12, 2023, as an emergency rule upon a finding by the Board of Regents that such action is necessary for the preservation of public health and safety to immediately conform the Commissioner's regulations to Chapter 422 of the Laws of 2023.

The motion passed unanimously.

## **MATTERS NOT REQUIRING BOARD ACTION**

### **Proposed Amendment of Section 3.16 of the Rules of the Board of Regents Relating to Updates to Delegation of Authority Regarding Charter Revisions [P12 (D) 1] -**

Department staff presented revisions to the proposed amendment regarding delegation of enrollment decreases in charter schools.

### **Proposed Amendment of Sections 100.1, 100.2, and 100.5 of the Regulations of the Commissioner of Education Relating to Virtual Instruction [P12 (D) 2] –**

Department staff presented proposed amendments to the Commissioner's Regulations that are necessary to ensure the continuation of access to high-quality virtual instruction.

### **Update on the NYS P-12 Science Learning Standards and Assessments -**

Department staff presented an update on the implementation of the New York State P-12 Science Learning Standards and highlighted the shifts in instruction and assessment for the elementary and intermediate grades.

Deputy Commissioner Angelique Johnson-Dingle reviewed the items on the Consent Agenda.

## **PROFESSIONAL PRACTICE**

### **Regents Committee on Professional Practice:**

Regent Norwood, Co-Chair, Regent Cottrell, Co-Chair, Vice Chancellor Finn, Regent Cea, Regent Collins, Regent Wills, Regent Catania, and Regent Hale.

The Professional Practice Committee held its scheduled meeting on December 12, 2023. All members were present, except for Regent Catherine Collins and Vice Chancellor Josephine Victoria Finn, who were excused. Chancellor Lester W. Young, Regent Luis O. Reyes, and Regent Shino Tanikawa also attended the meeting, but did not vote on any action.

## **ACTION ITEMS**

### **Professional Discipline Cases [PCC EXS (A) 1 – 3]**

The 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 four cases. In addition, the Committee recommends, upon the recommendation of the Committee on the Professions, that 28 consent order applications and 11 surrender applications be granted.

These recommendations are made following the review of 43 cases involving fourteen registered professional nurses, eleven licensed practical nurses, two massage therapists, one certified public accountant, one dentist, one pediatric nurse certificate of incorporation, one pharmacist, one physical therapy assistant, one psychologist, one registered professional nurse who is also certified as a nurse practitioner in Family Health, one

registered professional nurse who is also certified as a nurse practitioner in Pediatrics, one respiratory therapist who is also a respiratory technician, one respiratory therapy technician, one speech-language pathologist, one veterinarian, and one veterinary technician.

### **Long-Term Clinical Clerkships [PPC EXS (A) 4]**

The Committee recommends that the applications for Medical University of the Americas, University of Queensland, and Universidad Autónoma De Guadalajara to place students in long-term clinical clerkships in New York be approved, in accordance with and subject to the recommendations of the Advisory Committee on Long-term Clinical Clerkships.

**Proposed Amendment of Sections 77.4, 77.5 and 77.10 of the Regulations of the Commissioner of Education Relating to the Profession of Physical Therapy [PPC (A) 1]** – Department staff presented for emergency action proposed amendments to conform the Commissioner’s regulations to Chapter 511 of the Laws of 2022, which effective February 17, 2024, amends the Education Law by creating a new legally protected title of “licensed physical therapist assistant” and eliminating the prior protected title of “certified physical therapist assistant.”

The Committee recommends that sections 77.4, 77.5, and 77.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 17, 2024, 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 in order to timely implement the provisions of Chapter 511 of the Laws of 2022, which becomes effective February 17, 2024.

The motion passed unanimously.

**Proposed Amendment of Section 64.7 of the Regulations of the Commissioner of Education Relating to the Execution by Registered Professional Nurses of Non-Patient Specific Orders to Provide Emergency Medical Services and Administer Pregnancy Tests [PPC (A) 2]** – Department staff presented for emergency action proposed amendments to conform the Commissioner’s regulations to Chapter 193 of the Laws of 2023, which effective July 19, 2023, authorizes physicians to prescribe non-patient specific orders that registered professional nurses may perform including electrocardiogram test to detect signs and symptoms of coronary syndrome, administering point-of-care glucose tests to evaluate acute mental status changes in persons with suspected hypoglycemia, administering tests and intravenous lines to persons that meet severe sepsis and sepsis shock criteria, and pregnancy tests.

The Committee recommends that section 64.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 12, 2023, 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 timely conform the Commissioner’s regulations to implement the requirements of Chapter 193 of the Laws of 2023, which became effective July 19, 2023.

The motion passed unanimously.

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

The Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on December 12, 2023, copies of which have been distributed to each Regent.

## **MATTERS NOT REQUIRING BOARD ACTION**

Deputy Commissioner Sarah Benson reviewed the items on the Consent Agenda.

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

**Motion by:** Regent James E. Cottrell  
**Seconded by:** Regent Christine D. Cea  
**Action:** Motion passed unanimously.

Chancellor Young adjourned the meeting.



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

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Colonial Library	CE	Allegany (Richburg)	Amend charter to: <ul style="list-style-type: none"> <li>• Specify the number of trustees to be not less than five nor more than eleven;</li> <li>• Designate the library's service area to be coterminous with the Village of Richburg, portion of Bolivar-Richburg Central School District within the towns of Wirt, Clarksville, Cuba and Friendship;</li> <li>• Designate Commissioner as agent for service; and</li> <li>• Update IRS dissolution/tax exempt language.</li> </ul>
Cornerstone Masonic Historical Society	CE	Orange (Monroe)	Extend provisional charter for five years.
Haxton Memorial Public Library	CE	Genesee (Oakfield)	Grant provisional charter for five years.
Hollwedel Memorial Library	CE	Genesee (Pavilion)	Dissolve charter and approval to distribute remaining assets to the "Hollwedel Memorial Public Library of Pavilion, NY".
Middlesex Public Library	CE	Yates (Middlesex)	Grant provisional charter for five years.
Museum of American Theater	CE	Bronx (Bronx)	Extend provisional charter for five years.
The Museum of Jewish Heritage: A Living Memorial to the Holocaust	CE	New York (New York)	Merge with "JewishGen Inc." a Texas Corporation with The Museum of Jewish Heritage: A Living Memorial to the Holocaust as the surviving corporation.
Whitesville Public Library	CE	Allegany (Whitesville)	Amend charter to: <ul style="list-style-type: none"> <li>• Specify the trustee term length to be three years;</li> <li>• Designate the library's service area to be coterminous with the Whitesville Central School District;</li> <li>• Designate Commissioner as agent for service; and</li> <li>• Update IRS dissolution/tax exempt language.</li> </ul>

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
William B. Ogden Free Library	CE	Delaware (Walton)	Amend charter to: <ul style="list-style-type: none"> <li>• Specify the trustee term length to be four years;</li> <li>• Specify the number of trustees to be not less than five nor more than eleven and be elected and appointed by the board;</li> <li>• Designate the library’s service area to be coterminous with the Walton Central School District;</li> <li>• Designate Commissioner as agent for service; and</li> <li>• Update IRS dissolution/tax exempt language.</li> </ul>
Asian-American Coalition for Education (ACE)	P12	New York (New York)	Consent to filing of certificate of assumed name “The World”.

**SUPPLEMENTAL CHARTER APPLICATION**

APPOINTMENT OF

TRUSTEES No 1.

ROCKWELL FALLS PUBLIC LIBRARY

The Rockwell Falls Public Library (“RFPL”) was granted a provisional charter on May 4, 2020 to operate a school district public library to serve the residents of the Hadley-Luzerne Central School District. The education corporation is governed by a five-member Board of Trustees elected by a public vote. Three of the five seats are currently vacant due to resignations. Education Law § 226 (4) provides that any vacancy reducing the number of trustees to less than two-thirds of the full number may be filled by the Board of Regents. The Office of Cultural Education/Division of Library Development therefore recommends that the Board of Regents appoint the following individuals to the three vacant trustee positions of the education corporation, effective immediately, with such appointees to hold office until the results of the next annual election are effective (i.e., through June 30, 2024): Rosemarie Gardner, Margaret Hartley, and Ted Mirczak.

## Appendix II

### REGENTS ACTIONS IN 43 PROFESSIONAL DISCIPLINE CASES December 11 - 12, 2023

The Board of Regents announced disciplinary actions resulting in the surrender of 9 licenses and 2 certificates, and 32 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

#### I. SURRENDERS

##### Massage Therapy

Theirry Mathelier; Massage Therapist; Holliswood, NY 11427-2844; Lic. No. 019437; Cal. No. 33921; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Forcible Touching, a class A misdemeanor.

##### Nursing

Cai Erik Nielsen a/k/a Cai Nielsen; Registered Professional Nurse; Aledo, TX 76008; Lic. No. 554539; Cal. No. 33657; Application to surrender license granted. Summary: Licensee did not contest the charge of not accurately documenting the administration of narcotics to patients and fabricating entries on patient medical records, in the state of California.

Ashley Lee McCloskey; Registered Professional Nurse; Albany, NY 12203; Lic. No. 716513; Cal. No. 33790; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Use of Interstate Commerce to Promote Unlawful Activity, a felony.

Karen Kay Brown; Registered Professional Nurse; Trenton, MI 48183-2175; Lic. No. 568516; Cal. No. 33833; Application to surrender license granted. Summary: Licensee did not contest the charge of being found unresponsive with slurred speech with prescription and non-prescription medications in hospital packaging at residence, in the State of Arizona.

Robert Delello; Registered Professional Nurse; Jackson, NJ 08527; Lic. No. 575816; Cal. No. 33915; Application to surrender license granted. Summary: Licensee admitted to the charge of diverting controlled substances from the drug supply of a facility for personal use.

Steven Adan Rodriguez; Licensed Practical Nurse; Long Beach, NY 11561; Lic. No. 332712; Cal. No. 33924; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Defraud the United States Department of Health and Human Services, a Felony.

Julie E. DeVuono; Registered Professional Nurse, Nurse Practitioner (Pediatrics); Amityville, NY 11701; Lic. No. 531035, Cert. No. 381563; Cal. Nos. 33938, 33939; Application to surrender license and to surrender certificate granted. Summary:

Licensee admitted to the charge of having been convicted of Money Laundering in the 2nd Degree, a class C felony; Forgery in the 2nd Degree, a class D felony; and Offering a False Instrument for Filing in the 1st Degree, a class E felony.

Kids-On-Call Pediatric Nurse Practitioner PC; Professional Service Corporation; Garden City, NY 11530; Cal. No. 33940; Application to surrender certificate of incorporation granted. Summary: Registrant admitted to the charge of having been convicted of Money Laundering in the 2nd Degree, a class C felony; and Forgery in the 2nd Degree, a class D felony.

### **Physical Therapy**

Theirry Mathelier; Physical Therapy Assistant; Queens Village, NY 11427; Lic. No. 011635; Cal. No. 33922; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Forcible Touching, a class A misdemeanor.

### **Psychology**

Diane A. Ardito; Psychologist; Wantagh, NY 11793; Lic. No. 015983; Cal. No. 33923; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Health Care Fraud, a felony.

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

### **Dentistry**

Jong Shiaw Lim; Dentist; Elmhurst, NY 11373; Lic. No. 047374; Cal. No. 32393; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

### **Massage Therapy**

Ryan William Bales a/k/a Ryan Bales; Massage Therapist; Orlando, FL 32808-1332, Longwood, FL 32750-4053; Lic. No. 027435; Cal. No. 32662; Found guilty of professional misconduct; Penalty: Indefinite actual suspension for no less than 1 year and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

### **Nursing**

Sarahlyn Marie Guerin; Registered Professional Nurse; Buffalo, NY 14210; Lic. No. 607944; Cal. No. 30620; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Kayti B. Logan; Licensed Practical Nurse; Rochester, NY 14623; Lic. No. 322762; Cal. No. 31306; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

Rebecca Marie Sciabarrasi; Registered Professional Nurse; Kenmore, NY 14217; Lic. No. 705158; Cal. No. 33006; Found guilty of professional misconduct; Penalty: Indefinite actual suspension for no less than 1 year and until fit to practice, upon return to practice, 2 years probation.

Katina Nicole Chiera a/k/a Katrina N. Chiera; Registered Professional Nurse; Clifton Park, NY 12065; Lic. No. 586632; Cal. No. 33129; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, 40 hours public service.

Allison Raucci; Licensed Practical Nurse; Rochester, NY 14606; Lic. No. 326413; Cal. No. 33361; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Justin Alexander Ogilvie; Licensed Practical Nurse; Buffalo NY 14217-2130; Lic. No. 314542; Cal. No. 33439; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$500 fine.

Ryan Elizabeth Brooks; Registered Professional Nurse; Buffalo, NY 14220; Lic. No. 625755; Cal. No. 33529; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation, \$500 fine.

Joy W. Peterson; Licensed Practical Nurse; Kennedy, NY 14747; Lic. No. 260627; Cal. No. 33569; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Katelyn Elizabeth Zielinski; Registered Professional Nurse; Williamsville, NY 14221; Lic. No. 622691; Cal. No. 33599; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

Kirsten Lee Manganiello; Registered Professional Nurse, Nurse Practitioner (Family Health); Memphis, NY 13112; Lic. No. 477791, Cert. No. 338024; Cal. Nos. 33710, 33711; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Gabrielle V. Xlander; Licensed Practical Nurse; Endwell, NY 13760; Lic. No. 319580; Cal. No. 33726; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Diane Stacy Hill; Licensed Practical Nurse; Buffalo, NY 14225-2055; Lic. No. 316122; Cal. No. 33734; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Ellen Diane Arciere; Registered Professional Nurse; New Hyde Park, NY 11040; Lic. No. 724038; Cal. No. 33754; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Najah Q. Harvey; Licensed Practical Nurse; Rochester, NY 14615; Lic. No. 312788; Cal. No. 33770; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

Sydney Diane Frazier; Registered Professional Nurse; Williamsville, NY 14221; Lic. No. 810270; Cal. No. 33778; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Liza Monica Beszczynski; Licensed Practical Nurse; East Aurora, NY 14052; Lic. No. 327362; Cal. No. 33811; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Laurie Ann Seifert; Licensed Practical Nurse; Springville, NY 14141-9664; Lic. No. 313493; Cal. No. 33841; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$250 fine.

Jantese Nicole Johnson; Licensed Practical Nurse; West Seneca, NY 14224; Lic. No. 296030; Cal. No. 33849; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$250 fine.

Donna M. Haxton; Registered Professional Nurse; St. Petersburg, FL 33705; Lic. No. 381166; Cal. No. 33864; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Braxton Jared Tomsic; Registered Professional Nurse; Norwich, NY 13815; Lic. No. 577706; Cal. No. 33886; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Yonette Melville; Registered Professional Nurse; Schenectady, NY 12306; Lic. No. 707866; Cal. No. 33918; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

### **Pharmacy**

Kevin J. Bates; Pharmacist; Auburn, NY 13021; Lic. No. 035979; Cal. No. 33655; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

### **Public Accountancy**

Channah Ruth Arunasalem; Certified Public Accountant; Rexford, NY 12148; Lic. No. 113546; Cal. No. 33350; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,000 fine.

### **Respiratory Therapy**

Alicia C. Dekeyzer, Respiratory Therapy Technician, Respiratory Therapist; Vernon Center, NY 13477; Lic. Nos. 001827, 005075; Cal. Nos. 33593, 33594; Application for

consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Magalie Cadet; Respiratory Therapist; Amityville, NY 11701; Lic. No. 003959; Cal. No. 33755; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

### **Speech-Language Pathology and Audiology**

Kristin Kunjumon Cherian; Speech-Language Pathologist; Bronx, NY 10463; Lic. No. 025659; Cal. No. 33649; Found guilty of professional misconduct; Penalty: Indefinite actual suspension for no less than 6 months and until fit to practice, upon return to practice, 2 years probation.

### **Veterinary Medicine**

Joanna Janina Tomasik a/k/a Joanna Adams; Veterinary Technician; Castleton, NY 12033; Lic. No. 008108; Cal. No. 33071; Found guilty of professional misconduct; Penalty: 2 years actual suspension, 22 months stayed suspension and until fit to practice, upon return to practice, 2 years probation.

Ashraf Abdein Hussein; Veterinarian; Staten Island, NY 10312; Lic. No. 013453; Cal. No. 33722; Application for consent order granted; Penalty agreed upon: Partial actual suspension for no less than 1 month and until completion of retraining, upon return to practice, 2 years probation, \$3,500 fine.

# ATTACHMENT I



2024-2025  
State Education Department Budget  
and Legislative Initiatives

Board of Regents Meeting  
December 2023



New York State  
EDUCATION DEPARTMENT  
Knowledge > Skill > Opportunity



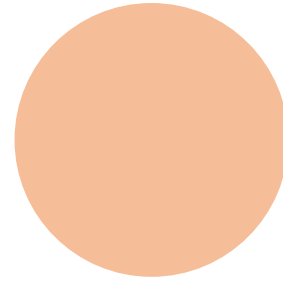


# Agency-Wide Infrastructure Investments

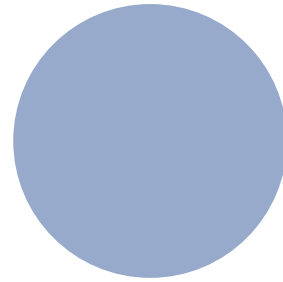
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# Agency Wide

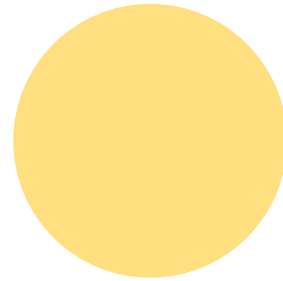
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Supporting ITS capital investments



Annual Fund for Software/Hardware licensing and support



Finance/HR Improved Analytical Capacity

A photograph of four diverse school children standing in a hallway. From left to right: a girl with long brown hair wearing a blue t-shirt and a green jacket, a boy with dark hair wearing a red quilted sweater and blue jeans, a girl with blonde hair wearing a yellow and white striped shirt and blue jeans, and a boy with short dark hair wearing a white t-shirt and blue jeans. All four children have backpacks on and are smiling or looking towards the camera. The background is a bright, out-of-focus school hallway with windows.

# Program Priorities Pre-kindergarten through High School Systems

Charter School Office funding- \$1.7M

Support for Governor's Zero Emission Bus Initiative & Agency Leadership Level Working Group- \$300,000

Ensuring that NYS Learning Standards reflect current research- \$1.4M

Juvenile Justice Hybrid Programming- \$20M

Supporting Capital Needs of NYSED, Nation Schools, and the NYS Schools for the Blind & Deaf- \$174M

# Improving Student Assessments

- Continue Exam translations into multiple languages
- Update the New York State English as a Second Language Achievement Test (NYSESLAT)

# Early Learning

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- Consolidate statewide universal full-day prekindergarten grants
- Correct conflicting supplement and not supplant language



# Special Education

- State support for Free and Appropriate Public Education (FAPE) until 22 - \$70.5M
- Hold harmless for school age special education programs
- Require state agencies to convene to make recommendations on how to expand residential opportunities
- Tuition rate setting methodology study additional funding- \$1.4M
- Tuition rate growth factor

# Expand Access to College Course Work



Early College



Head start on higher education



Reduce overall cost and time needed to obtain a degree



Build on the success of existing efforts



Increase partnerships between school districts, institutions of higher education, and businesses

# School Aid

School Aid Program	2023-2024 School Year (in millions)	Regents 2024-2025 Request (in millions)	Year-to-year Change (in millions)
Foundation Aid <ul style="list-style-type: none"> <li>• Current Law \$926.8 million</li> <li>• FAPE 22 \$30.5 million</li> <li>• Formula updates: \$253.4 million</li> </ul>	23,998.88	25,269.09	1,270.22
Building and Transportation Aid	5,792.03	5,892.47	100.44
BOCES and Special Services	1,479.09	1,499.26	20.16
Prekindergarten Grants	1,127.59	1,226.94	99.35
Support for Students with Disabilities <ul style="list-style-type: none"> <li>• FAPE 22 Public Excess Cost Aid: \$17.2 million</li> <li>• FAPE 22 Private Excess Cost Aid: \$24.2 million</li> </ul>	1,017.17	1,151.05	133.88
Other General Purpose Aids	307.72	312.06	4.35
Instructional Materials Aids	254.26	255.10	0.84
Other GSPS	308.94	309.28	0.34
<b>Total GSPS</b>	<b>\$34,285.68</b>	<b>\$35,915.25</b>	<b>\$1,629.57</b>



# Foundation Aid

- Short-term Foundation Aid changes
  1. Update Census Poverty Counts
  2. Replace Free- and Reduced-Price Lunch counts
  3. Eliminate the income wealth index minimum
  4. Update and smooth the high need designation
  5. Needs adjusted minimum increase
- Continued need for funding for deeper Foundation Aid study - \$1M

# Additional School Aid

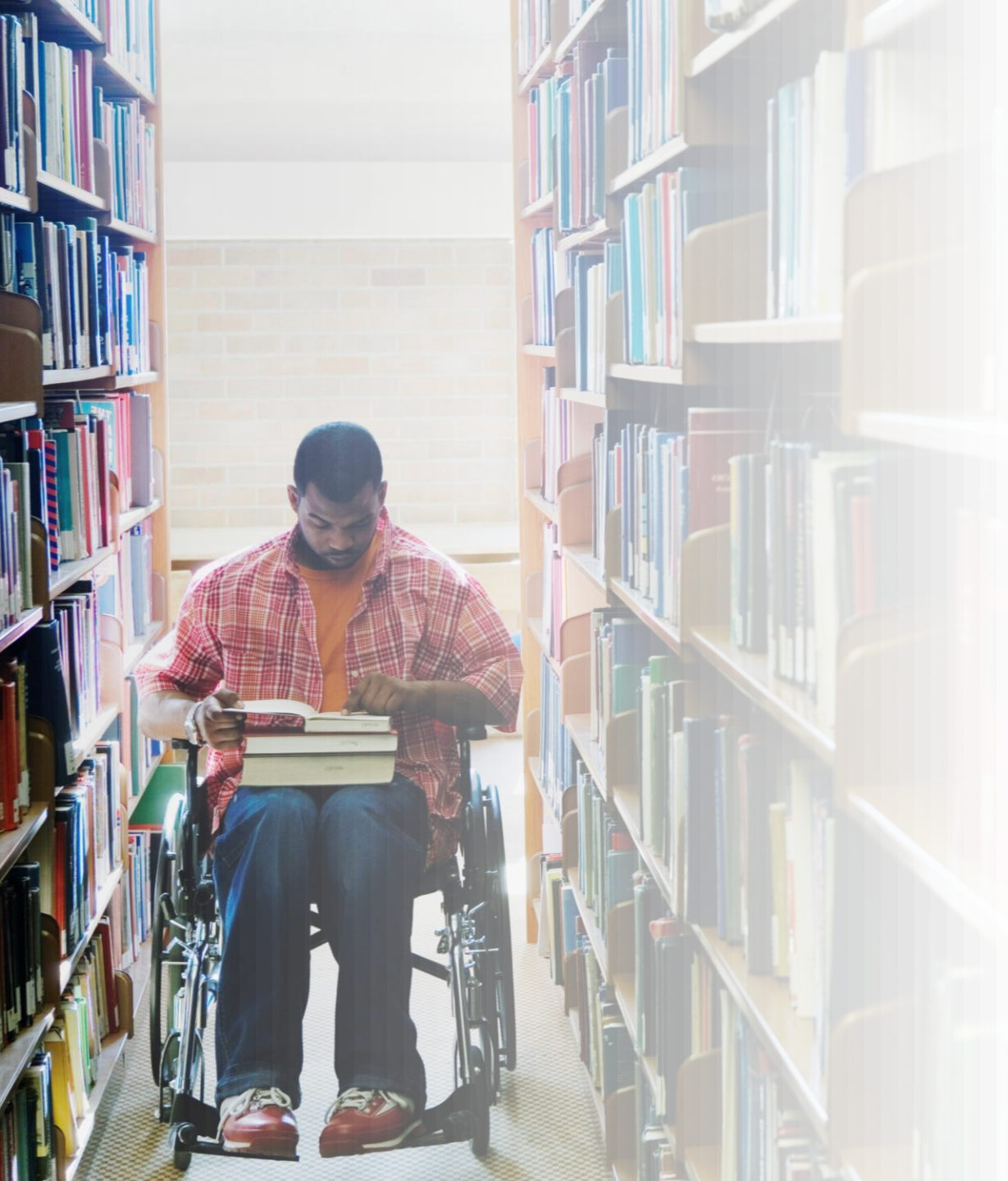
- Growth aid for districts with significant enrollment increases
- Expand funding to increase access to CTE courses for all high school students by: (1) Increasing the BOCES Aid Salary; and (2) Enhancing Special Services Aid



# Program Priorities Office of Professions

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- Office of Professions  
Modernization  
Continuation
- Opportunity Programs



# Program Priorities Office of Cultural Education Program

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- Cultural Education Stabilization- \$10 fee increase or \$17M
- New York State Summer School for the Arts & Scholarships- \$2M
- NOVELny- \$3M
- Talking Book & Braille Library/Conservation Preservation- \$250,000
- Library Construction Aid- \$45M

# Program Priorities ACCES

- Social Security Appropriation Increase
- Adult Literacy Education (ALE) Aid to Localities  
Appropriation Language

# Program Priorities Higher Education

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- Increases for opportunity programs- \$11.M
- Enhanced supports and services for students with disabilities for postsecondary success- \$2M
- Addressing the teacher shortage by creating a teacher recruitment system designed to attract and support prospective teachers and diversify the teacher pipeline- \$1.2M
- Annual Professional Performance Review (APPR) Reform legislation



# Special/ Temporary

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# Federal Stimulus Funds

- Across Agency
- Allow us to sustain staffing that has supported the federal stimulus-funded work through the extended liquidation periods expected for ARPA- \$865,000